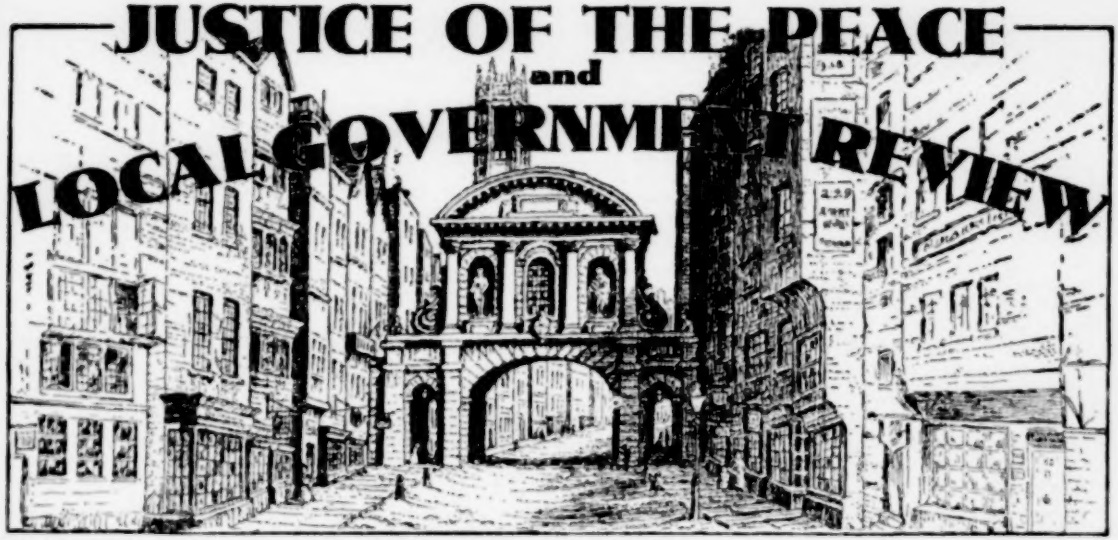
JUSTICE OF THE PEACE
and
LOCAL GOVERNMENT REVIEW



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LEGACIES
FOR ENDOWMENT

THOSE making or revising their Wills may like to consider benefiting some selected aspect of Church Army Social or Evangelistic work by the endowment of a particular activity—thus ensuring effective continuance down the years.

Gifts—by legacy or otherwise—will be valued for investment which would produce an income in support of a specific object, of which the following are suggestions:—

1. Training of future Church Army Officers and Sisters.
2. Support of Church Army Officers and Sisters in poorest parishes.
3. Distressed Gentlewomen's Work.
4. Clergy Rest Houses.

Preliminary enquiries will be gladly answered by the

Financial Organising Secretary

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55 Bryanston Street, London, W.1

A Recommendation to Mercy

In recommending a bequest or donation to the RSPCA you may confidently assure your client that every penny given will be put to work in a noble cause. Please write for the free booklet "Kindness or Cruelty" to the Secretary, RSPCA, 105 Jermyn Street, London, S.W.1.

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RSPCA

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PORTSMOUTH (1881) DEVONPORT (1876) GOSPORT (1942)

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Mrs. Bernard Currey

All buildings were destroyed by enemy action, after which the Rests carried on in temporary premises. At Devonport permanent quarters in a building purchased and converted at a cost of £50,000 have just been taken up whilst at Portsmouth plans are well advanced to build a new Rest when permission can be obtained.

Funds are urgently needed to meet heavy reconstruction commitments and to enable the Trustees to continue and develop Miss Weston's work for the Spiritual, Moral and Physical Welfare of the ROYAL NAVY and other Services.

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Contributions will be gratefully acknowledged. They should be sent to the Treasurer, Royal Sailors Rests, Buckingham Street, Portsmouth. Cheques, etc., should be crossed National Provincial Bank Ltd., Portsmouth.

Official Advertisements, Tenders, etc.

Official Advertisements (Appointments, Tenders, etc.), 2s. per line and 3s. per displayed headline. Miscellaneous Advertisements 24 words 6s. (each additional line 1s. 6d.) Box Number 1s. extra. *Latest time for receipt—9 a.m. Wednesday.*

WEST RIDING OF YORKSHIRE COMBINED AREA PROBATION COMMITTEE

Appointment of Male Probation Officer.
Appointment of Two Female Probation Officers.

APPLICATIONS are invited for the above whole-time appointments.

The male officer and one female officer would be assigned to the Doncaster County Borough and the Petty Sessional Divisions of Lower Strafforth and Tickhill and Lower Osgoldcross and a female officer would be assigned to the Dewsbury County Borough and Dewsbury Petty Sessional Division and the Boroughs of Batley, Morley and Ossett.

Applicants must be not less than twenty-three nor more than forty years of age except in the case of whole-time serving officers and persons who have satisfactorily completed a course of training approved by the Secretary of State.

The appointment will be subject to the Probation Rules, 1949, and the Local Government Superannuation Act, 1937, as amended by the West Riding County Council (General Powers) Act, 1948, and the salary will be in accordance with the scale prescribed by the Rules.

The successful candidate will be required to pass a medical examination.

Application forms may be obtained from the Principal Probation Officer, West Riding Court House, Wakefield.

Applications, together with two recent testimonials, should be enclosed in a sealed envelope marked "Appointment of Probation Officer," and must reach the undersigned not later than April 22, 1950.

BERNARD KENYON,
Clerk to the Combined Area Probation Committee.

Office of the Clerk of the Peace,
County Hall,
Wakefield.
March, 1950.

URBAN DISTRICT OF ELLESMERE PORT

Appointment of Assistant Solicitor

APPLICATIONS are invited for the above appointment, at a commencing salary, for a recently admitted Solicitor, within Grade V (a) (£550 per annum x £20 to £610 per annum) of the National Salary Scales.

Previous experience, as an articled clerk or otherwise, in the office of the clerk of a local authority is not regarded as essential, and a proposing applicant may be supplied, on application to the undersigned, with a Memorandum giving information with regard to (i) the Urban District of Ellesmere Port and its industries, which are of vital importance in relation to the export drive and are in process of expansion on a large scale, (ii) the Council's approved housing programme which in consequence of industrial expansion is of exceptional magnitude and (iii) the kind of experience and prospects which the appointment will afford to a successful applicant.

The successful applicant will be required to pass a medical examination for superannuation purposes.

Applications, stating age and date of admission, and giving particulars of experience, should be enclosed, together with copies of (not more than) two recent testimonials, in sealed envelopes endorsed "Assistant Solicitor" and should be received by the undersigned by not later than Monday, April 17, 1950.

P. J. HODGES,
Clerk of the Council.

Council Offices,
Whitby Hall,
Ellesmere Port,
Cheshire.
March 31, 1950.

LANCASHIRE COUNTY COUNCIL

ASSISTANT Solicitor required. Salary scale £595—£660. Initial salary in accordance with qualifications and experience. Previous Local Government service not essential.

The appointment is subject to medical examination and to the Local Government Superannuation Act.

Applications stating age, qualification and experience, together with the names of three referees, to be forwarded to the Clerk of the County Council, County Offices, Preston, by May 1, 1950.

LEGAL Assistants—Vacancies on permanent staff of Metropolitan Police Office for admitted solicitors. Age limits 26-36—may be extended for exceptionally qualified candidates.

Duties chiefly advocacy but other classes of legal work, including lecturing, may be required.

Salary £500 at age 26, plus £25 for each year above 26 up to £700. On confirmation, after probationary period of not less than one year, £800, less £25 for each year below 30; thereafter annual increments of £25 to £950.

Particulars (including details of higher posts) and application form from Secretary (Room 165), New Scotland Yard, S.W.1, within 10 days.

COUNTY OF CHESTER

Petty Sessional Division of Altrincham

Appointment of Male Probation Officer

APPLICATIONS are invited for the above appointment. Applicants must not be less than 23 years, nor more than 40 years of age.

An applicant who is not a trained probation officer, if appointed, will be in a temporary capacity in the first instance.

The appointment will be subject to the Probation Rules, 1949, and the salary will be in accordance with the prescribed scales.

Applications, supported by testimonials, should reach the undersigned within ten days from the publication of this advertisement.

J. G. HARRIS,
Secretary to the Probation Committee.

5, Market Street,
Altrincham.

BOROUGH AND DISTRICT ELECTIONS FOR 1950

CALENDAR

By R. N. HUTCHINS, LL.B.

A COMPREHENSIVE GUIDE TO THE FIRST LOCAL ELECTIONS HELD UNDER THE CONSOLIDATED LEGISLATION.

Printed in a form suitable for ready reference **OBTAINABLE IMMEDIATELY**

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NOTES of the WEEK

Discretion as to Sentence

There is a vague idea among many people that the Home Office issues instructions to magistrates from time to time as to the need to impose severe sentences in respect of some type of offence which is serious and prevalent. Of course, nothing of the sort occurs, and it is well recognized as a principle of our law that the executive does not interfere with the judicial functions of the magistracy. The press, or a section of it, is sometimes responsible for spreading the heresy.

Recently there has been much discussion about crimes of violence, and there have been some important judicial pronouncements, which will certainly not go unheeded. It is a pity that a rumour should have gained some currency that the Lord Chief Justice had called a meeting of judges and instructed them to pass heavy sentences in cases of violence and upon gangsters. Mr. Justice Lynskey has denied that any such meeting took place, and that of course no such instructions had been given. The learned judge explained that judges were each responsible for their own decisions, but that they did have regard to precedents and try to make their sentences more or less similar to those passed by other judges so as to avoid a position in which the sentence on a criminal might depend on where he committed his crime.

Referring to the abolition of corporal punishment, Mr. Justice Lynskey said there was the duty to administer the law as it is, whether one agreed with it or not.

It is well that the public should be under no misapprehension about the individual responsibility of judges and magistrates for their decisions. Misapprehension exists more about magistrates than about judges, and public confidence might be shaken if it were generally thought that justices were expected to take instructions as to the sentences they should pass. Their decisions may be criticized and rectified by higher courts, as is right, and helpful to the magistrates themselves. It is from the High Court that they may receive guidance, and that is usually in the form of judgments.

Good News for Wives

We have said more than once that the position of a wife with an English maintenance order and a husband in Scotland may be worse than that of a woman whose husband is in Australia or some other distant part of the Commonwealth, by reason of difficulties revealed by several decisions. It is good news that there is a prospect of an improvement. The Secretary of State for Scotland stated, in a written answer to a Parliamentary question, that it was hoped to introduce legislation to facilitate the reciprocal enforcement of orders for aliment and maintenance in Scotland and England this Session.

It used to be thought that the Summary Jurisdiction (Process) Act, 1881, provided satisfactorily for the service of a summons issued in England to be served in Scotland for the purpose of the making of a maintenance order, and for the execution of an English warrant in Scotland for the purpose of enforcing arrears under such an order. Decided cases, English and Scottish, showed that this was not the position, and for some time past the courts in England have found it almost impossible to enforce arrears when the husband was in Scotland, while it was no less difficult to secure service of an English summons upon a husband ordinarily resident in Scotland. It is to be hoped that the matter will now be dealt with on broad lines, so that arrangements between the two countries will work effectively and bring much-needed relief to a number of wives.

Probation in Sunderland

In a graceful foreword to the annual report of the senior probation officer for the county borough of Sunderland, Mr. J. P. Wilson, clerk to the justices and secretary of the probation committee, acknowledges the good work of the probation staff. An interesting point is that the probation committee acceded to a request for some of their officers to give help in the Petty Sessional Division of Seaham. The ultimate scheme for the county of Durham has not yet been settled, and meanwhile, says Mr. Wilson, the committee and the officers have willingly contributed this assistance to their neighbours.

The senior probation officer reports a decrease, compared with the previous year, in the number of juveniles brought before the courts for indictable offences. In 1949 it was 228, which is forty less than in 1948, but thirty-five more than in 1937. The peak age of juvenile delinquency was again fourteen years.

Matrimonial cases heard numbered 200, an increase of twenty-three over 1948, but eighty-five less than in 1945, which seems to have been the heaviest year. Mr. Hudspith adds, however, that there has been a great reduction in the number of cases dealt with by the officers and not reaching the stage of court proceedings. During the year forty-seven cases were referred to the officers in the hope of reconciliation, and this was successful in twenty-three. In all, the officers have handled 350 cases.

Commenting on the Criminal Justice Act, 1948, the report expresses the opinion that improvements in the new system compared with the old are already showing themselves.

A new experiment was made during the year. Two of the probation officers took fifteen probationers for a week's camping to the foot of the Cleveland Hills. This was due to the generosity of Sunderland Industrial School Fund, Society of Friends, and Magistrates. The camp was a complete success and the boys who would not otherwise have been able to take a holiday received much benefit from it.

Probation in Newcastle

In his report for the year 1949, the principal probation officer for the city and county of Newcastle-upon-Tyne records a decrease in the number of juveniles charged with indictable offences, the figures being 347 in 1949 as against 430 in 1948. As the clerk to the justices, Mr. F. Morton Smith, says in his foreword to the report, juvenile delinquency continues to attract much publicity, but it is well to retain a due sense of proportion, and to remember that the vast majority of Newcastle's 40,000 school children keep out of the juvenile court even though many are living under difficult conditions.

The work of the case committee is being done on new lines which are said to work most satisfactorily. Describing this, the report says that under this system each member of the case committee undertakes the supervision of the records of a particular officer for three months at a time, in rotation. The case committee members are notified each month of the cases to be reviewed, which comprises one-third of each officer's case load. It will thus be seen that, in the course of three months, all records of persons on probation and under supervision, are reviewed by the case committee. A case committee member meets the probation officer concerned and reviews the progress of the cases, completing and signing case record cards for each probationer. Where necessary, cases are referred to the full case committee.

Cordial co-operation between the probation officers and the local children's officer is evidently proving of great benefit and is clearly appreciated. In juvenile court cases, the arrangement now is that probation officers make pre-trial inquiries, where there is a criminal charge, into the home surroundings, while the children's officer is responsible in care or protection cases. As to pre-trial inquiries, it appears that more of this kind of work is being undertaken and that a number of reports have been submitted to courts of assize and quarter sessions. Mr. Taylor, the principal probation officer, anticipates a considerable increase in the work of after-care of persons leaving prison or borstal, and this he welcomes as a further opportunity of service by probation officers.

Mr. Morton Smith finds that the many problems created by the Criminal Justice Act are being overcome. In particular, he instances the arrangements made for dealing with remands under s. 26. A complete understanding has been established between the court, the probation service and the St. Thomas Psychiatric out-patient clinic and the Department of Psychological Medicine at the Royal Victoria Infirmary. As a result when persons appearing before the court are remanded on bail under s. 26, contact with the psychiatric departments can be established by a probation officer at once and arrangements made for medical examination. Upon the adjourned hearing the court is provided not only with the psychiatric report but a full home report prepared by the probation officer.

More Sex Education

A Wiltshire newspaper sent to us carries a little further the topic on which we touched at 113 J.P.N. 659, of sex education in schools maintained by local education authorities. There seems to have been some dispute of fact at the meeting of the county council where the matter was discussed, concerning the degree of information which had been afforded to some older children; but upon any view of what had actually happened there was clearly room for controversy. There was, however, nothing in this case in the nature of what occurred in the Dagenham case mentioned in our article last year, *i.e.*, nothing which could be characterized as indecency. The dispute which arose was, apart from the point of fact, entirely about the desirability of giving education of the type in question. As we understand the matter, the county education committee had for some ten years arranged for instruction, in what one member called "elementary things a child should know," but when the teaching had been carried to a certain point by teachers in ordinary classes, it had afterwards been amplified with special lectures by a psychiatrist. It was upon the content of these lectures that most of the opposition arose. The dispute of fact which we have mentioned seems to have been upon the question whether the psychiatrist had spoken to the children about birth control, and, if so, whether he had, as some members alleged, taught the use of contraceptives. One woman member of the council boldly took the line that older children in the schools ought to have organized education upon "the evils of modern life," and that giving them this education would prevent a recurrence of many of the mischiefs which had beset young women in the war, who "simply did not know what they were doing" so that "people had to be imported who could explain to them what the situation with regard to sex was." This member's views evidently did not meet with general acceptance, since some councillors, who had had access to the text of the psychiatrist's lectures, said they would not have allowed these to be given to their own children, and it apeared that a number of parents in the county had withdrawn their children from the classes. Amongst our own readers, we should not be surprised if the prevalent assumption is that any sort of detailed information, apart from such as comes naturally into the teaching of elementary biology, anything, that is to say, specifically relating to human functions and behaviour, is best not given until children have reached a more mature age than most of those in the schools of public education authorities. As against this, it is to be borne in mind that, for a large part of the population, conditions of every day life bring them into contact with sex problems at an earlier age than is normal among the children of professional people. There is much truth in the argument, from experience advanced by the woman councillor we have mentioned, that difficulty arises among relatively young people from sheer ignorance, and it is worth remembering that Wiltshire was the county where, as we recorded at 113 J.P.N. 659, the youthful villagers, having no other diversions, had begun with watching animals and gone on to rape. It can be argued that young women, in particular, as soon as they are capable of child bearing should know what contraception is, and there may be danger that members of local authorities, whose outlook on these problems is almost inevitably different from that of the adolescent, and amongst some sections is also pretty far removed from the habits and customs of the less cultivated portions of the population, may do harm in seeking to shield adolescents from knowledge which (things being what they are) it would be better to impart. These are matters of opinion. The main reflexion which occurs to us is that the "opinion" ought not to be that of the local education authority in each county or county borough. It is a national problem; the extent to which sex education shall be given to children in different types of school, and different forms, and different age groups, and the further decision whether it shall be given by the regular teachers or by specialists, ought to be taken by the Minister of Education.

LACUNAE IN SUMMARY PROCEDURE

The main statutes governing summary jurisdiction procedure are the Acts of 1848 and 1879, and both are now many years old. In most respects they have stood the test of time remarkably well, but every now and then there comes to light some new point to which even those most experienced in summary jurisdiction procedure cannot find a wholly satisfactory answer. An instance which can be cited is the difficulty which was formerly experienced in knowing how to get before a summary court for sentence a defendant who had been adjudged guilty of the offence charged against him, had then been remanded on bail and had failed to appear in accordance with his recognizance. This matter is now dealt with in s. 67 of the Criminal Justice Act, 1948, which authorizes the issue by a summary court of a warrant for the arrest of any person who has been charged with or convicted of an offence and released on bail under a recognizance conditioned for his appearance before that court, and has failed so to appear.

There are, however, two somewhat similar instances which are not provided for. The first is that in which a defendant is acquitted by justices who then state a case on the application of the prosecutor. If the High Court decides in favour of the prosecutor and sends the case back to the justices with a direction to convict, by what procedure are the justices to secure the re-appearance of the acquitted defendant before their court?

The second is that in which justices convict a defendant and, by a mistake as to their powers, commit him to quarter sessions for sentence supposedly under s. 29 of the Criminal Justice Act, 1948. Quarter sessions, of course, have no jurisdiction to entertain the matter, and the commitment warrant on which the defendant has appeared before that court is then exhausted. How is the defendant thereafter to be dealt with?

In neither case is it possible to say that any definite procedure is laid down. As a matter of practice we have no doubt that the clerk to the justices concerned would probably try, either through the police or by a letter, to secure the voluntary attendance of the defendant before the court, and if he so appeared we have no doubt of the powers of the justices to proceed. In the first instance they have the clear authority of the High Court to support their action; in the second we think that they may properly treat their committal to quarter sessions (which was made entirely without jurisdiction) as a nullity and go back to the point at which, guilt having been established and all necessary inquiries made, it was their duty to impose such sentence or otherwise to deal with the case as they thought proper.

The fact that in the first case the justices have a clear duty to obey the directions of the High Court makes the position easier to deal with. It is curious that the Summary Jurisdiction Act, 1857, by s. 9, deals specifically with the power of the justices, after their conviction has been upheld by the High Court, to proceed to enforce it, but does not make any mention of the more difficult position which we are here considering. It is easy to devise a form of summons, or notice, to the defendant informing him of the High Court's decision and calling upon him to appear before the justices in accordance with that decision. If he appears all is well, but one has to meet the case in which the only way to secure his appearance is by bringing him before the court in custody. In such an event what form is the warrant to take and upon whose information is it to be issued? Presumably the prosecutor, since he has applied for the case to be stated, is still interested in the matter and will be prepared to come forward to assist in giving effect to the High Court's decision. We think that he might lay information to the effect that on a stated date the justices heard an information alleging that the defendant had committed the offence in question, that they dismissed the case and that subsequently, on the hearing of a case stated by them on the matter, the High Court had reversed their decision and had directed that the matter be brought again before the justices and that they should find the offence proved. On such an information we think the justices might properly issue their warrant reciting the matters set out in the information and directing that the defendant be brought before them in order that the High Court's direction might be complied with. As we have indicated, we can quote no authority for this procedure but we cannot believe that the High Court would allow its decision to be ineffective because no particular procedure is laid down for enforcing it.

In the second instance somewhat different considerations apply. The defendant stands convicted and has not been sentenced, although he has suffered, since conviction, a period of detention in custody prior to his abortive appearance before quarter sessions. There appear here to be two possible alternative procedures which the justices may adopt. It may be argued that in purporting to commit the offender for sentence the justices have exhausted their powers and cannot, of their own motion, proceed further. If this point of view be taken the next step would appear to be for the prosecutor to take, by applying for *mandamus* to compel the justices to complete their adjudication by sentencing or otherwise dealing with the offender. We think it is most unfortunate if this has to be accepted as the only, or the proper, answer to the problem. There are at least two objections to it. In the first place the prosecutor may decline to take any such steps, and in many cases we think it is quite likely that he will so decline. Secondly, such a procedure is bound to take time, and it is most undesirable that a long period should elapse between conviction and sentence. In favour of this course, however, it must be admitted that it is a safe course for the justices to take and if, as is almost certain, the application for *mandamus* is successful the future action of the justices will have the protection of the High Court's order.

The alternative argument is that the action of the justices in committing the offender to quarter sessions for sentence was a nullity and they may treat it as such. If they elect to do this they must then decide what is the appropriate process to issue to bring the offender before them. As he stands convicted and the view of the justices was obviously, as shown by their abortive committal to quarter sessions, that their powers of punishment were inadequate it may be thought best forthwith to issue a warrant. In this case we think that no information is necessary, and the form of the warrant should be to recite the fact of the conviction and to direct that the offender be brought before them to be dealt with according to law. When he is so brought we think that the justices must be careful to have in mind, and to state that they have, the fact that the offender has suffered some imprisonment by virtue of their wrongful committal, and they should take this into account in determining how to deal with him.

Certain cases can be cited as some authority for the adoption of the second course. These are *R.* v. *Marsham ex parte Pethick Lawrence* (1912) 76 J.P. 284; *Davis* v. *Morton* (1913) 77 J.P. 223 and *Bannister* v. *Clarke* (1921) 85 J.P. 12. The last of these is perhaps most in point. Justices heard informations for what were in fact summary offences and purported to

commit the defendant for trial. When the matter came up for trial certain other offences were proceeded with but no indictment was preferred, as indeed it could not be, in respect of these summary offences. Thereafter fresh informations for these offences were laid, but when the matter came again before the justices the prosecution elected to proceed on the original informations in respect of which there had been the invalid committal, and the justices convicted. The High Court, on a case stated by quarter sessions after an appeal to them from the justices' decision, held that the convictions were good. Lord Reading, C.J., said: "In committing for trial the justices did not really adjudicate at all, and they did not exhaust their jurisdiction because they attempted to do what they had no power to do. Their act was therefore a nugatory act when they purported to exercise a jurisdiction which they did not possess, and the act was null and void as if it had never been done."

Precisely similar reasoning applies, we think, to the case we are considering, and the justices can rightly regard their act in committing for sentence as null and void as if it had never been done, and can go back to the point immediately prior to the doing of this nugatory act. On this there can be little doubt, but it is not beyond argument that this automatically confers on the justices the right to issue process, for which no specific authority can be shown, to bring the offender before them. If it were clear beyond doubt then we think that s. 67 of the Criminal Justice Act, 1948, need not have been enacted. It was the fact that an offender who had been convicted but not sentenced and who was at large could not by any known means properly be brought before the court for sentence which led to the passing of that section.

In that case, however, an alternative remedy was open to the court prior to the passing of s. 67, as they had (and still have) under the Summary Jurisdiction Acts ample authority for proceeding to sentence the offender in his absence. His position was that he had entered into a recognizance to appear to be dealt with and had failed so to appear. He had, therefore, put himself in peril of being sentenced without being further heard.

In the case we are now considering it is the error of the court which has created the difficulty, and we are convinced that it would be wrong, therefore, for the court to purport to sentence the offender in his absence. No injustice can be done by the issue of process to secure his attendance so that the law may take its course, and it may well be that justices who acted in this way would be supported in that action by the High Court. We cannot claim, however, that the matter is free from doubt, and there we must leave it.

CHIEF CONSTABLES' ANNUAL REPORTS, 1949

1. BLACKBURN

The population of Blackburn is 122,697 and the acreage 8,088. The authorized establishment is 183 which includes five police women; in addition there is a civilian staff of nine. There are twenty-one vacancies in the regular force, little progress having been made in recruiting during the year from the deficiency of twenty-five twelve months ago. The low scale of pay and shortage of houses are considered the two principal reasons for the dearth of applicants. Twenty-one new appointments were made in 1949.

On the subject of discipline the report discloses that four constables were charged with breaches of the discipline codes. Two were cautioned, one resigned before the case was heard and the offence alleged against the fourth man was dismissed. Sickness for the year showed an average of 11.39 days per man.

Police women, who are recruited up to strength, carry out patrol and traffic duties, and in addition to paying visits to licensed premises and dance halls, they make investigations regarding women and children in relation to sexual offences. In October the quarterly conference of police women was held at Blackburn and was attended by Miss Denis de Vitre, H.M. Inspector of Constabulary.

One inspector, a sergeant and ten constables staff the traffic department; maintenance and repair of patrol vehicles are done by a constable who is a qualified motor mechanic. Seven motor vehicles and one motor cycle are owned by the force; four motor cars are equipped with two-way wireless units. One hundred and forty-seven persons appeared before the magistrates in connexion with traffic offences, an increase of thirty-four on 1948. In addition, 126 motorists were cautioned for minor infringements of the Road Traffic Acts. Six deaths resulted from road accidents and 183 people sustained injury, compared with the total for 1948 there was a decrease of one fatality and five persons injured.

The effective strength of the Special Constabulary is fifty-five, the establishment includes a mechanized section. Personnel provide their own motor cars for police duty without charge. As a result of the appeal by the Government for recruits for the Civil Defence Services five local men enrolled as special constables. All are provided with uniform, beat patrols and duties in connexion with special functions and football matches have been carried out during the year.

During 1949 indictable offences known to the police totalled 626, seventy-eight *per cent.* were detected. In 1948 crimes numbered 773. Stolen property was valued at £6,210 and that recovered at £2,223. One hundred and thirty-one juveniles committed 114 crimes. In the previous year 184 juveniles committed 148 indictable offences. Six hundred and thirty-nine men and women were proceeded against for non-indictable offences, a decrease of fifty-nine on the 1948 figure. One hundred and twenty-one persons were dealt with for drunkenness, 106 males and fifteen females, as against eighty-six males and twelve females the year before.

A civilian welfare officer, appointed in 1948, still functions in the force. His work is directed to assisting members with help and advice. "This appointment was made after careful consideration had been given to the private worries which might befall members of the force," points out the report, "and which a police officer might feel would be detrimental to his prospects in the service if divulged to a senior officer."

2. SOUTHPORT

The population of the borough is 78,925, and the acreage 18,333. The establishment of the force is 161, including seven police women, and the actual effective strength 149, with six police women. Civilian employees number nine. The cost of maintaining the force was £107,632 and the amount falling on the local rate £51,902.

The average number of all ranks sick per day was 5.00; for the three preceding years, 1948, 1947 and 1946 the figures were 1.66, 3.08 and 2.29.

Crimes reported during the year totalled 1,059, a decrease of 243 compared with 1948. After initial inquiries 210 of these reports were found not to disclose a criminal offence as against 271 similarly dealt with the year before. The percentage of detected crime was seventy-one; in 1948 it was fifty-six *per cent.* This steep rise in detection was mainly due to admissions by one person of a large number of offences. Two hundred and sixteen persons were dealt with in respect of these incidents. The value of property stolen was £34,897, compared with £31,394 in 1948; property recovered last year amounted to £27,293 compared with £12,436 the previous year. One hundred and six juveniles were dealt with, ten more than in 1948, in respect of 147 cases. The report adds "... it is impossible, unless every single crime is detected, to say whether juvenile crime is on the increase or decrease." In a general observation on crime the comment appears. "It is gratifying to note the continued decrease in the number of crimes committed and the number of persons dealt with for having committed crime. I think one factor in the reduction is the more frequent patrolling by constables in uniform. . . ."

Road accidents numbered 813, an increase of 271 over the year before, resulting in two deaths and 330 injuries.

Seven hundred and twenty-six reports were made relating to offences by motorists; 331 were disposed of by official cautions and the remainder by prosecution. Six hundred and thirty-one males and females were proceeded against for non-indictable offences, a decrease of thirty-nine compared with the 1948 total.

During the year, 755 "999" emergency calls were responded to, involving in 260 instances, the despatch of wireless patrol cars. Attention was given to 1,960 houses temporarily unoccupied and constables in the course of patrol found 1,369 shops, warehouses and dwelling-houses in an insecure state. Four thousand and fifty-three reports of property lost and found were made.

3. SOUTHAMPTON

The population is 179,900 and the area of the borough 9,192 acres, with an additional 2,000 acres of waterways. The authorized strength of the force is 363, including twelve police women; the actual number engaged at the end of the year was 351. Sickness accounted for 3,776 days lost, compared with 2,904 in 1948. During the year, members of foreign police forces paid short visits of inspection to Southampton.

Dealing with commendations and awards the report indicates that a constable received the King's Police Medal for gallantry in effecting the arrests of three men who escaped from prison and committed offences whilst at liberty. An inspector was granted the British Empire Medal for his work whilst seconded as temporary chief officer of the Island of Guernsey police.

Road accidents totalled 1,691, resulting in eighteen fatalities and 789 injured. "The standard of driving," says the report, "is on the whole low, and it appears that courtesy among road users leaves very much to be desired."

During the year, 2,770 indictable offences were reported, involving three murders and thirty-one offences of wounding (in 1948 there were 3,223 crimes); forty-three *per cent.* were detected. The value of property stolen was £56,888 and that recovered amounted to £19,788. Eight hundred and nineteen persons were prosecuted for indictable crimes compared with 832 for the previous year. Two hundred and thirty-six juveniles were dealt with for indictable offences, forty more than in 1948.

One hundred and eight men and fourteen women were charged with drunkenness as against 124 men and twenty-five women the year before; eighty offenders were non-residents. Nine people were fined for breaches of the liquor laws in a registered club, which was struck off the register. There are sixty-two registered clubs with a membership altogether of 29,593.

Special constabulary strength is 196, members perform one monthly duty but in addition attend public functions and football matches as required.

4. EXETER

The population of the city is 66,029 and the area 9,126 acres. The authorized strength is 113 and the actual number engaged at the end of last year 107. In addition fifteen civilians are employed. At the beginning of 1949 there were eleven vacancies in the regular force. In November the Home Office approved an increase in supervisory ranks thereby extending the establishment to 113, an increase of three.

The establishment of police women is two and there are no vacancies; they carry out patrol duties in addition to normal women police work.

Housing is still a difficult problem and many young married men occupy rooms. The local House Letting Committee has been unable to allot a single tenancy of a council house to a police officer since the end of the war. In 1946 the Watch Committee decided to erect two houses but so far on account of delay, mostly unavoidable, the houses have not been put up.

At the request of chief constables in the district, and the Home Office, and with the assistance of the principal and staff of the University College of the South West, a course of refresher training for sergeants from the forces in the district (six counties of the south west) was conducted in the college premises and a further course is to be held this year.

In regard to traffic, parking is a problem in the city and during the year 135 prosecutions for obstruction occurred. The council, appreciating the difficulty, has provided considerable free parking space on bombed sites in the neighbourhood of the town centre. Figures obtained from the local taxation authorities show that the number of vehicles on the roads in the county generally has increased markedly.

Promotions within the force included one to the rank of chief inspector, one inspector and five to sergeant's rank. One thousand two hundred and twenty-two days were lost through sickness; a three-fold advance on the year before. This was due in the main to five members being ill for long periods.

Indictable offences totalled 840, a decrease of sixty-seven compared with the previous year, fifty-five *per cent.* were detected. Offences against the person increased by fourteen, through indecent assaults and sexual offences against females. Stolen property was valued at £7,484 and that recovered at £2,188. One hundred and seventy-eight juveniles were dealt with for crime as against 135 in 1938.

Accidents numbered 241 involving six fatalities and 207 injured; one juvenile was killed and fifty injured. During 1948 there were five persons killed and 306 injured, including one child killed and sixty-five injured.

Licensing statistics show that thirty men and five women were charged with drunkenness. There were no prosecutions of licensees. Premises licensed for the sale of intoxicants number 164 and there are thirty-four registered clubs.

(To be continued)

NOTICE

The next court of quarter sessions for the borough of Grantham will be held on Wednesday, April 12, at 10.30 *a.m.*

A GUIDE AND CALENDAR FOR THE FIRST LOCAL ELECTIONS UNDER THE CONSOLIDATED LEGISLATION

By R. N. HUTCHINS, LL.B. (Lond.), *Assistant Solicitor, Derbyshire County Council*

There will be some sympathy with the staff of local authorities and with the election agents who, during the aftermath of the General Election, already see ahead the gathering storm of the Borough and District elections in May.

Once again the statutory provisions governing the elections have changed in form, but it is hoped that the consolidation Act of 1949 will prove reasonably permanent in spite of the small inroads already made on its claim to be the last word on the subject by the Electoral Registers Act, 1949, and the Election Commissioners Act, 1949.

By the Representation of the People Act, 1949 (Date of Commencement) Order, 1950, made on February 11, all provisions of the Act of 1949 which relate to local elections will be in operation by April 3. It is comforting for returning officers whose thoughts have perforce to turn from parliamentary to local elections after so short an interval that one of the principal objects of the recent legislation has been to assimilate the law relating to parliamentary and local government elections. With the conduct of the General Election still fresh in the mind, it might be well to recall the principal provisions of the new legislation which do not apply to local government elections. They are as follows —

(*a*) The use by candidates of certain public halls on special terms for election meetings. At local government elections the right is confined to school premises (s. 83).

(*b*) The issue by the returning officer to electors of the official poll cards (rule 29 and reg. 64). The expenditure on this provision at the recent election has been estimated at £225,000. It is not easy to see the justification for this expenditure at the present time for parliamentary elections, when it is not deemed necessary for local elections, at which, in general, the same electors vote at the same polling stations. The elimination of this expenditure might well have been added to the list of economies compiled last autumn. The issue of official poll cards does not appear to have eased the work of the election agents who, in many cases, still tell the elector his number on the election address.

(*c*) The registration of vehicles for the conveyance of voters to or from the poll (s. 88 and reg. 63).

(*d*) The requirement that the returning officer shall publish in two local newspapers a summary of the return as to election expenses (s. 76).

(*e*) A candidate's right to send his election address post free (s. 79).

Apart from the above provisions, and the requirement that candidates must be local and do not have to deposit £150, the procedure for both national and local elections is, in general, the same. Postal voting facilities are however an exception to this general statement for they are not available in rural district elections. It is clear that the facilities for postal voting are becoming more widely known and that they contributed in some measure to the increased poll at the General Election. One of the consequences of holding the election on an obsolescent register was that the number of absent voters was, in some constituencies, as high as 2 *per cent.* of the electorate, and a list of 1,000 names was not uncommon. Change of address is not a valid ground for claiming the right to vote by post in local government elections; apart from such cases the list of absent voters will be as long for the local elections as it was for the General Election. The task of issuing will therefore be similar, but the task of opening the postal voters ballot papers will be eased by the smaller area covered by a single count.

THE TWO-YEAR-OLD VOTER

Another point on which the returning officer might profit from experience in the recent election is emphasized by the story which recently appeared in the press of a two year old " elector " in that part of John Bull's Other Island which is not a republic who applied for a ballot paper and was allowed to vote. It was perhaps pardonable in that all the relevant contents of the numerous circulars on the Act have probably not reached the presiding officers in the utmost corners of the United Kingdom; but it appears that, in spite of the express terms of s. 39 (4), providing that a person registered as an elector shall not be excluded from voting on the ground that he is not of full age, the proper course to adopt in such circumstances, would be to explain to the parent or companion of the infant that any person inducing or procuring him to vote is guilty of an offence under s. 48 (5).

VARIATIONS BETWEEN TOWN AND COUNTRY

For some reason which is not immediately apparent there are no postal voting facilities at rural district council elections. Indeed many of the distinctions which exist between urban and rural elections are curious. It is clearly desirable that the rules should give the returning officer at rural elections some 48 hours longer to decide on nomination papers and to give the necessary notices especially when it will be recalled that he will from time to time be acting as returning officer for parish elections during the same period. But it is less easy to see why postal facilities should be denied to the aged or infirm in the country, or why noon to 8 *p.m.* should be considered the statutory norm for polling hours in rural areas, but 8 *a.m.* to 8 *p.m.* for urban areas. Moreover the prospective candidate for rural office has only to persuade a proposer and seconder to support him, while his urban neighbour has to add a further eight local government electors as assentors. Again, the returning officer at rural elections may adjourn the count for a night's rest at his own discretion, but his urban counterpart may only do so with the concurrence of the candidate, his election or counting agents.

ANNUAL OR TRIENNIAL ELECTIONS

These minor differences between urban and rural elections become of greater interest in the light of the declared views of the late Local Government Boundary Commission that the distinction between urban districts and rural districts should, in any general reform of local government, be abolished. While the last Parliament witnessed a retreat from the reform of the organization of local government, it may be expected that some measure of reform will come sooner or later, and it is unlikely that the urban and rural election rules will emerge intact. A further point on which the attention of the reformer is likely to be focussed is the extent to which use has been made of the option which rests with urban and rural district councils under s. 35 of the Local Government Act, 1933*, to replace the entire council every third year instead of replacing a third of the council every year.

To those authorities which have local elections this year, the accompanying calendar of procedure may be of assistance in tracing the relevant provisions of the consolidated legislation.

*Orders under s. 35 are made by the County Council but the initiative rests with the District Council.

A CALENDAR FOR BOROUGH AND DISTRICT ELECTIONS, 1950

Serial	*Principal person to take action*	*Proceeding*	*BOROUGHS Date, Definition of date, and Statutory etc. Authority*	*URBAN DISTRICTS Date and Statutory etc. Authority. For explanation of symbols "+" and "—" and D.E. see Notes below*	*RURAL DISTRICTS Date and Statutory etc. Authority. For explanation of symbols "+" and "—" and D.E. see Notes below*	*Remarks*
1	2	3	4	5	6	7
(1)	**E.R.O. R.O.**	**Qualifying Date for the Election**	**November 20, 1949.** R.P.A., 1949, s. 2, 3 and sch. I	November 20, 1949	November 20, 1949	The Register of March, 1950, will be used
(2)	**Elector and E.R.O.**	**Last safe date for delivery to E.R.O. of :—** (*a*) **Application** to be treated as an **ABSENT VOTER for an indefinite period** under s. 24 (3) (Form R.P.F. 7) (*b*) Application for issue of a **Proxy Paper** (except H.M. Reserve and Auxiliary Forces) (Form R.P.F. 10) (*c*) Application by **Service Voters proxy to vote by post** for an indefinite period. (Form R.P.F. 11)	**April 18.** Before the Election has begun, *i.e.*, before the last day on which Notice of Election may be published : (*a*) s. 24 (3), reg. 25 (2) (b) and 71 (2) (*b*) s. 25, reg. 30 (3) (b) and 71 (2) (*c*) s. 25, reg. 32 (2), 25 (2) (b) and 71 (2)	D.E.—21 (see column 4)	—	**Notes applicable to whole Serial** (i) There are no postal facilities at Rural District Council Elections (ii) If any application is received after the date specified and disregarded for the purposes of the election it remains effective for later elections (iii) **Applications** under Serial 2 (a) **include** applications on the **grounds of physical incapacity and nature of employment.** Form R.P.F. 7
(3)	**Town Clerk R.O.**	**Publication of NOTICE OF ELECTION**	**April 18** Not later than the 20th day before the day of Election. R.P.A. 1948, s. 57 (4), L.E.R. 1 and 4	D.E.—20 U.D.C.E.R. 1, 4 R.P.A. 1948 S. 57 (5)	D.E.—22 R.D.C.E.R. 1, 4 R.P.A. 1948 S. 57 (5)	**Forms** For Boroughs, S.I. 1949 No. 210, Form A. For U.D.C. U.D.C.E.R. Appendix. For R.D.C. R.D.C.E.R. Appendix. Publication at Council Offices and places in ward or electoral area
(4)	**Elector and E.R.O.**	**Last safe day for delivery to E.R.O. of :—** (*a*) **Application** to be treated as an **ABSENT VOTER for a particular election** under s. 24 (2) (Form R.P.F. 9) (*b*) Application for issue of a **Proxy Paper** (H.M. Reserve and Auxiliary Forces) (Form R.P.F. 10) (*c*) Application by **Service Voters Proxy** to vote by post for the particular election (Form R.P.F.11)	**April 22.** On or before the second day before the last day for the delivery of nomination papers : (*a*) s. 24 (2), reg. 25 (2) (*a*) (*b*) reg. 30 (3) (*a*) (*c*) s. 25, reg. 25 (2) (*a*) and 32 (2)	D.E.—16. (see column 4)	—	(*a*) **This facility exists for limited classes only, e.g., Service Voters, H.M. Reserve or Auxiliary Forces. Returning Officer's Staff and Police Constables on duty in another Electoral area**
(5)	**CANDIDATE R.O. (Mayor for Boroughs)**	**Delivery at PLACE of NOMINATION of Candidate's :—** (*a*) **Nomination Paper** (*b*) **Consent to Nomination** including statement of candidate's qualification	**Noon April 25** (*a*) After Serial (3) and not later than noon on the 14th day before the day of election. P.E.R. 7 (2) (4), L.E.R. 1, 5-8 (*b*) On or within one month before the last day for the delivery of Nomination Papers. L.E.R. 1, 7	Noon on D.E.—14 U.D.C.E.R. 1, 5, 6, 7, 8	Noon on D.E.—16 R.D.C.E.R. 1, 5, 6, 7, 8	**For forms** (*a*) Nomination Paper Boroughs see S.I. 1949 No. 210 Form B. U.D.C. U.D.C.E.R. Appendix. R.D.C.—R.D.C.E.R. Appendix (*b*) Candidate's Consent H.O. Pamphlet "Notes for Candidates." No assentors are required R.D.C. Elections
(6)	**R.O. Candidates**	**R.O. gives notice** to each Candidate of **Time and Place of Issue of Postal Voters' Ballot Papers**	**April 25.** Not later than the last day for the delivery of nomination papers, reg. 40 (1) and 38 (2)	D.E.—14 Reg. 40 (1) & 38 (2)	—	Notice should also state number of agents each Candidate may appoint to attend

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1	2	3	4	5	6	7
(7)	**R.O. (Mayor for Boroughs)**	Despatch of **Notices of decisions on Nominations and Publication of Statement as to persons nominated**	**Noon April 26**. Not later than noon on the 13th day before the day of election. P.E.R. 13 (part). L.E.R. 1, 9, 10	Noon on D.E.—13 UDCER 1, 9, 11	Noon on D.E.—13 RDCER 1, 9, 11	The decision of Mayor or R.O. that a nomination paper is valid is final **For Forms** see Boroughs S.I. 1949 Nos. 210 Form C; UDCER Appendix C or RDCER Appendix as case may be
(8)	**R.O. (Mayor for Boroughs)**	**Provision and Equipment of Polling Stations**	**After April 25**. P.E.R. 26 (1) and (2), 30. L.E.R. 18, 22, 25	After D.E.—14 UDCER 22, 25	After D.E.—16 RDCER 21, 24	As to use of Public Rooms and County and Voluntary Schools see L.E.R. 18, UDCER 18, RDCER 18. The polling place for Parliamentary purposes shall be used save in special circumstances. S. 22 (3)
(9)	**R.O.** and E.R.O.	R.O. notifies E.R.O. of his requirements for **Special Lists and E.R.O. completes preparation of**:— (*a*) **Absent Voters' List** (For B.C. and U.D.C.) (*b*) **List of Proxies** (for all C.D.C.) (*c*) **List of Postal Proxies** (for B.C. or U.D.C.)	**After April 25**. As soon as practicable, *i.e.*, after last time for allowing applications under Serial 4. L.E.R. 24	After D.E.—14 UDCER 24	After D.E.—16 (Proxy List only) RDCER 23	As to form of Lists see H.O. Circular R.P.A. 13, paras. 24-27
(10)	**CANDIDATE R.O.**	**Declaration** in writing by or on behalf of Candidate to R.O. of **name, address and office of ELECTION AGENT**—latest time	**Noon April 27**. Not later than the latest time for delivery of notices of withdrawals. S. 55 & 57 (1)	Noon D.E.—12 S. 55 & 57 (1)	Noon D.E.—12 S. 55 & 57 (1)	See s. 58 for effect of default in appointment of Election Agent: *i.e.*, Candidate shall be deemed to have named himself
(11)	**CLERK OF AUTHORITY**	Clerk gives **Public Notice** of **name, address and office of ELECTION AGENTS** of Candidates	After Serial 10. Forthwith upon the declaration under Serial 10 above. S. 55 (5) and 57 (1)	Forthwith after Serial 10 S. 55 (5) & 57 (1)	Forthwith after Serial 10 S. 55 (5) & 57 (1)	See s. 55 (6) for designation of clerk as the appropriate officer for this duty
(12)	**Candidate R.O.**	Giving or withdrawing of **Notices as to extending the Hours of Polling to 9 p.m.**	**Noon April 27**. Within the time for delivery of notices of withdrawals. L.E.R. 3	Noon on D.E.—12 UDCER 3	Noon on D.E.—12 RDCER 3	Written notice must be given by at least as many candidates as there are vacancies
(13)	**Candidate R.O.**	Delivery of **notices of withdrawals of candidature**—latest time	**Noon April 27**. Not later than noon on the 12th day before the day of election. P.E.R. 14 (2), L.E.R. 1, 11	Noon on D.E.—12 UDCER 1, 10	Noon on D.E.—12 RDCER 1, 10	Special provisions if candidate outside U.K.
(14)	**R.O. (Mayor of Boroughs)**	**R.O. appoints Presiding Officers, Poll Clerks and Counting Assistants**	**After April 25**. No time specified but after it is known contest will take place. P.E.R. 27, L.E.R. 23	After D.E.—14 UDCER 23	After D.E.—16 RDCER 22	In Boroughs appointment of Officers and Clerks made by Mayor. L.E.R. 23 **As to Declarations of Secrecy** see P.E.R. 32 (L.E.R. 27) UDCER 27. RDCER 26
(15)	**R.O. Candidate**	**R.O. notifies Candidate of number of Counting Agents** whom he may appoint to attend the Count	After Serial 14. No time specified. After R.O. has decided the number of Counting Assistants he will employ. P.E.R. 31, L.E.R. 26	After Serial 14 UDCER 26	After Serial 14 RDCER 25	R.O. may limit the number of Counting Agents so long as for Boroughs and U.D. the total allowed is not less than total of Counting Assistants employed by R.O. In all cases the number allowed must be the same for each Candidate
(16)	**Candidate R.O.**	Notice by Candidate of **Appointment of Agents to attend at issue of Postal Ballot Papers**	Before time fixed under Serial (6) for issue of Postal Ballot Papers. Reg. 38 (3)	See column 4	—	For permitted number see Serial (15) and reg. 38 (2)

Serial	*Principal person to take action*	*Proceeding*	*BOROUGHS Date, Definition of date, and Statutory etc. Authority*	*URBAN DISTRICTS Date and Statutory etc. Authority. For explanation of symbols "+" and "—" and D.E. see Notes below*	*RURAL DISTRICTS Date and Statutory etc. Authority. For explanation of symbols "+" and "—" and D.E. see Notes below*	*Remarks*
1	2	3	4	5	6	7
(17)	**R.O. (Mayor in Boroughs)**	**NOTICE OF POLL**—latest day	**May 5.** Not later than the 5th day before the day of election. L.E.R. 1, 19	D.E.—5 UDCER 1, 19	D.E.—5 RDCER 1, 19	**The notice must give** *inter alia* **the day and hours of poll, the number of councillors to be elected, polling stations and description of persons entitled to vote**
(18)	**R.O. (Mayor in Boroughs)**	**R.O. issues Postal Ballot Papers**	As soon as practicable, *i.e.*, as soon after time for withdrawals as ballot papers printed and lists prepared. P.E.R. 25, L.E.R. 21, reg. 44	(See column 4) UDCER 21	—	Ballot Paper accompanied by Declaration of Identity. (Form "H" in S.I. 1949, No. 327 or Appendix to UDCER) together with a prepaid envelope for their return. **G.P.O. charge ½d. per item or 1s. per 1,000 items**
(19)	**Candidate R.O.**	Notice by Candidate or Election Agent to R.O. of **particulars of** (*a*) **Polling Agents for detecting personation** and (*b*) **Counting Agents**	**May 8.** Not later than the third day before the day of election. L.E.R. 1, 26	D.E.—3 UDCER 1, 26	D.E.—3 RDCER 1, 25	**As to Declaration of Secrecy** see P.E.R. 32, (L.E.R. 27) and UDCER 27, RDCER 26
(20)	**R.O. Candidates**	Despatch of **Notice** by R.O. to Candidate as to **time and place of Opening Postal Voters' Ballot Papers**	**May 9.** At least 24 hours' notice in writing. Reg. 48 (2)	D.E.—2 (Reg. 48 (2).)	—	**Notice also states number of agents Candidates may appoint**
(21)	**Candidate R.O.**	**Notice** by Candidate to R.O. of **names and addresses of Agents to attend at Opening of Postal Voters' Ballot Boxes**	Before time fixed for opening Postal Voters' Ballot Boxes. Reg. 38 (3)	D.E.—1 (Reg. 38 (3).)	—	For Declaration of Secrecy see reg. 39
(22)	**R.O. Police R.O.'s Staff**	Giving of **Certificate of Employment to** (*a*) **Police Constable and** (*b*) **R.O.'s Staff** on duty on Polling Day	**Before May 11.** No time specified. Normally before Polling Day. S. 23 (6), reg. 34. P.E.R. 33, L.E.R. 28	Before D.E. UDCER 28	Before D.E. RDCER 27	See Form "G" in S.I. 1949 No. 327, UDCER Appendix, RDCER Appendix. To be signed by Police Inspector or R.O. as case may be
(23)	**R.O. Counting Agent**	R.O. gives **notice** in writing **to Counting Agents of time and place when counting of votes will begin**	No time specified but must be before Count begins. P.E.R. 45 (L.E.R. 40)	Before Count UDCER 40	Before Count RDCER 39	It is customary to send written notice to Candidates also
(24)	**R.O.**	**Election NOT contested. Publication of name of person elected**—latest time	**11** *a.m.* **May 11.** 11 *a.m.* on Day of Election. L.E.R. 13 (2), 46 (2)	11 *a.m.* D.E. UDCER 13 (2), 46 (2)	11 *a.m.* D.E. RDCER 13 (2), 45 (2)	
(25)		**DAY OF ELECTION (Polling Day)**	**May 11. POLLING DAY.** Hours 8 *a.m.* to 8 *p.m.* subject to extension to 9 *p.m.* See Serial (12). R.P.A. 1948, s. 57 (4) L.E.R. 3	D.E. **POLLING DAY** Between May 8 and 13 inclusive as fixed by C.C. Hours 8 *a.m.* to 8 *p.m.*, unless C.C. fix otherwise. (See Col. 7)	D.E. **POLLING DAY** Between May 8 and 13 inclusive as fixed by C.C. Hours noon to 8 *p.m.*, unless C.C. fix otherwise. (See Col. 7)	If County Council fail to fix date the Day of Election, for U.D.C. and R.D.C. is May 9. See Serial (12) for Candidate's right to extend hours of poll to 9 *p.m.* Statutory authority for U.D.C. and R.D.C. R.P.A., 1948, s. 57(5). UDCER 3, RDCER 3

Serial	Principal person to take action	Proceeding	BOROUGHS Date, Definition of date, and Statutory etc. Authority	URBAN DISTRICTS Date and Statutory etc. Authority. For explanation of symbols "+" and "—" and D.E. see Notes below	RURAL DISTRICTS Date and Statutory etc. Authority. For explanation of symbols "+" and "—" and D.E. see Notes below	Remarks
1	2	3	4	5	6	7
(26)	**R.O. and Persons entitled under L.E.R. 40 U.D.C.E.R. 40 R.D.C.E.R. 39**	**The COUNT**	**May 11.** As soon as practicable after the close of the Poll. P.E.R. 46, 47, 49, 50. L.E.R. 41-43	D.E. U.D.C.E.R. 40, 41, 42, 43, 44, 45	D.E. R.D.C.E.R. 39, 40, 41, 42, 43, 44	(a) **No night adjournment** (8 *p.m.* to 9 *p.m.*) except with consent of Candidates their Election or Counting Agents. P.E.R. 46. L.E.R. 41. U.D.C.E.R. 41. In R.D.C. it is left to the discretion of the R.O. R.D.C.E.R. 40 (*b*) As to verification of Ballot Paper Accounts and Delivery of Documents see P.E.R. 55 and 56 (1), L.E.R. 48 and 49. U.D.C.E.R. 48 and 49, R.D.C.E.R. 47 and 48
(27)	**R.O.**	(*a*) R.O. makes **Declaration of Result.** (*b*) **Returns name of each person elected to the Town Clerk or Clerk of the Council.** (*c*) Gives **Public Notice of Result**	**May 11.** When the result of the Poll has been ascertained. L.E.R. 46, 47	D.E. U.D.C.E.R. 46 and 47	D.E. R.D.C.E.R. 45 and 46	The result must show total number of votes given for each Candidate
(28)	**Clerk**	**Statistical Return to** Registrar General by Town Clerk or Clerk of Council	D.E. — As soon as may be convenient after day of election	D.E. —	D.E. —	H.O. letter 923,175/76 of February 22, 1950
(29)		**Day of Retirement** and day when newly elected Councillors come into Office	**May 15, 1950.** 4th day after Day of Election.	May 20, 1950 L.G.A., 1933, s. 35 R.P.A., 1948, sch. 6, para. 3	May 20, 1950 L.G.A., 1933, s. 35 R.P.A., 1948, sch. 6, para. 3	
(30)		**Annual Meeting**	**Between May 22 and 30 inclusive.** Between 11th and 18th day after Day of Election. R.P.A., 1948, sch. 6, para. 2 (2) (*a*) and (*b*).	On or as soon as conveniently may be after May 20, 1950	On or as soon as conveniently may be after May 20, 1950 (see col. 7)	Statutory authority for U.D.C. and R.D.C. — L.G.A. 1933, sch. 3, Part III, para. 1 (2) as amended by R.P.A. 1948, s. 57 and sch. 6, para. 3
(31)	**Various ELECTION AGENT**	Last day for **sending to Election Agent claims in respect of Election Expenses**	**May 25, 1950.** Within fourteen days after day result of election is declared. s. 66 (1)	D.E. + 14 s. 66 (1)	D.E. + 14 s. 66 (1)	Claim is barred if not made in time. As to limitation of election expenses see s. 64 (2) (*d*). £25 and 2d. for each elector over 500
(32)	**CANDIDATE**	Candidate sends to Election Agent written **statement as to personal Expenses**	**May 25, 1950.** Within time limited for sending in claims, *i.e.*, see Serial (31). s. 62 (2)	D.E. + 14 s. 62 (2)	D.E. + 14 s. 62 (2)	
(33)	**PERSON AUTHORIZED BY ELECTION AGENT**	Sending of Statement of **Particulars as to Petty Expenses authorized in writing by Election Agent**	**May 25, 1950.** Within time limited for sending in claims. See Serial (31). S. 62 (4)	D.E. + 14 s. 62 (4)	D.E. + 14 s. 62 (4)	Payments must be vouched for by a bill with receipt
(34)	**CERTAIN PERSONS AUTHORIZED BY ELECTION AGENT — Clerk**	Last day for sending to Clerk of **Return and Declaration of certain expenses by persons authorized in writing by Election Agent**	**May 25, 1950.** Within fourteen days after date of publication of the Result of the Election. S. 63 (2)	D.E. + 14 s. 63 (2)	D.E. + 14 s. 63 (2)	See s. 63 for important qualification. Not applicable to persons engaged or employed for payment by Candidate or Election Agent
(35)	**Various**	**The removal of Election Advertisements** other than Statutory Advertisements	**May 25, 1950.** Within 14 days of the close of the Poll. S.I. 1948, No. 1613, reg. 14 (2) (*b*)	D.E. + 14 S.I. 1948, No. 1613, reg. 14 (2) (*b*)	D.E. + 14 S.I. 1948, No. 1613, reg. 14 (2) (*b*)	**Statutory Advertisements must be removed within a reasonable time under S.I. 1948, No. 1613, reg. 14** (2) (*b*)
(36)	**PETITIONER**	Presentation of **Petition questioning the Election.** (See remarks)	**June 1, 1950.** Within 21 days after the Election. S. 112-114	D.E. + 21 ss. 112-114	D.E. + 21 ss. 112-114	See s. 114 for exceptional cases

Serial	Principal person to take action	Proceeding	BOROUGHS Date, Definition of date, and Statutory etc. Authority	URBAN DISTRICTS Date and Statutory etc. Authority. For explanation of symbols "+" and "−" and D.E. see Notes below	RURAL DISTRICTS Date and Statutory etc. Authority. For explanation of symbols "+" and "−" and D.E. see Notes below	Remarks
1	2	3	4	5	6	7
(37)	**ELECTION AGENT**	Last day for **paying claims for Election Expenses**	**June 8, 1950.** Within 28 days after the day the result of the Election is declared. S. 66 (2)	D.E. + 28 s. 66 (2)	D.E. + 28 s. 66 (2)	See s. 66 (3)-(7) for exceptional cases See s. 67 for disputed claims
(38)	**ELECTION AGENT CLERK**	Last day for **transmission to Clerk of Return and Declaration of Election Agent as to Election Expenses**	**June 15, 1950.** Within 35 days after the result of the Election is declared. Ss. 69, 70 and sch. 5	D.E. + 35 ss. 69, 70 and sch. 5	D.E. + 35 ss. 69, 70 and sch. 5	**For form and content of Return** and Declaration see s. 69 and sch. 5 and H.O. Pamphlet "Notes for Candidates"
(39)	**CANDIDATE**	Last day for **transmission to Clerk of Declaration by Candidate as to Election Expenses**	Serial (38) + 7. Within seven days after Return under Serial (38). S. 70 (2) and sch. 5	Serial (38) + 7 s. 70 (2) and sch. 5	Serial (38) + 7 s. 70 (2) and sch. 5	See s. 70 for special provisions if Candidate outside U.K. or acting as his own Election Agent. For Form see note to Serial (38)
(40)	**CLERK**	(*a*) Certain **Election Documents cease to be available for public inspection** and Clerk shall destroy (*b*) **Returns and Declarations** under Serials (34), (38) and (39) **cease to be available for public inspection** and Clerk may destroy	**November 11, 1950.** L.E.R. 51 Two years after Returns etc. received by Clerk under ss. 63, 69 and 70. S. 77	D.E. + 6 months UDCER 51 Serial (39) + 2 years	D.E. + 6 months RDCER 50 Serial (39) + 2 years	(*a*) Prior to this date Clerk must provide facilities for public inspection and the taking of copies. (*b*) Meantime Clerk must provide facilities for inspection Fee 1s. Copies at 2d. per 72 words. S. 77

NOTES

(*a*) "B.C." refers to Borough Council. "C.C." refers to County Council.

(*b*) "C.D.C." refers to County District Council.

(*c*) "D.E." refers to Day of Election (Polling Day) and it is assumed that the declaration of the result is made the same day.

(*d*) "E.R.O." refers to Electoral Registration Officer. (See s. 6.)

(*e*) "L.E.R." refers to the Local Election Rules in sch. 2 to the Representation of the People Act, 1949.

(*f*) Minus sign (thus "−") indicates period (in days unless otherwise stated) before the day specified.

(*g*) Plus sign (thus "+") indicates period (in days unless otherwise stated) after the day specified.

(*h*) "P.E.R." refers to the Parliamentary Election Rules in sch. 2 to the Representation of the People Act, 1949.

(*j*) "Regs." refers to the Representation of the People Regulations, 1949, S.I. 1949, No. 327, which may be found annotated in Butterworths Emergency Service Title [7].

(*k*) "RDCER" refers to the Rural District Council Election Rules, 1949. S.I. 1949, No. 285.

(*l*) "R.O." refers to Returning Officer.

(*m*) "R.P.A." refers to the Representation of the People Act.

(*n*) "S." refers to sections of the Representation of the People Act, 1949, which may be found annotated in Halsbury's Statutes (2nd Edn.) Volume 8.

(*o*) Time. In general Sundays and public holidays are excluded in reckoning time for any proceedings up to the completion of the Poll. See L.E.R. 2, UDCER 2, RDCER 2, R.P.A. 1948, s. 54. R.P.A. 1949, s. 106. L.G.A. 1933, s. 265 and reg. 69. J.P.N. 1949, pages 109 and 176.

(*p*) "UDCER" refers to the Urban District Council Election Rules, 1949. S.I. 1949, No. 197, which may be found in Butterworths Emergency Service Title [23].

1950 APRIL						
Sun.	Mon.	Tues.	Wed.	Thurs.	Fri.	Sat.
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

1950 MAY						
Sun.	Mon.	Tues.	Wed.	Thurs.	Fri.	Sat.
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

Dates in light figures = *dies non*

MISCELLANEOUS INFORMATION

NATIONAL HEALTH SERVICE (AMENDMENT) ACT, 1949

The main object of this Act is to clarify and, so far as possible, amend the application to partnerships of those sections of the National Health Service Act which prohibit the sale of practices by doctors in the service, and which compensate them for the resulting loss of the selling value of the goodwill. The opportunity has been taken, however, to make certain minor administrative changes which experience showed were desirable for the smooth working of the scheme. The sections of the Act dealing with the sale of medical practices gave rise to certain doubts in their application to partnerships and with a view to clarifying the position, a committee was appointed under the chairmanship of Mr. Justice Slade. The Government accepted the report subsequently made by the Committee and the Act applies their recommendations.

During the course of the passing of the Bill, attention was drawn to the minor abuses which have apparently occurred by the use of the health service by foreigners. The Minister of Health agreed that the scheme should not be thus exploited and if, for example, a person leaves another country deliberately for the purpose of going to Roehampton to get an expensive artificial limb, he considered that would be an abuse and must be stopped. If, however, a person comes to this country and falls sick, it is considered to be proper that he should be treated. Provision has accordingly been made under s. 17 empowering the Minister to make regulations providing for the making and recovery of charges for services provided under the Act for persons not ordinarily resident in Great Britain. Some of the other amendments made by the Act are of importance to local authorities, such as that made by ss. 24 to 27 of the National Health Service Act, 1946, under which it is the duty of the local health authority to provide an ambulance service, including the conveyance of persons to places in their own area, to places outside their area. It is thought that in some cases this involves expenditure by a local authority which happens to have in its area a hospital used largely by persons from other areas. No provision was made however for inter-authority accounting. Many hospitals are situated in the areas of county boroughs which serve the surrounding counties which results in a general flow of patients from the counties to the county boroughs. The county boroughs found that they had to find transport back to the homes of a large number of patients who are not residents of the county borough but of the county. In these circumstances, both the County Councils Association and the Association of Municipal Corporations considered the matter, and came to the conclusion that there was such a distinct lack of balance between one local authority and another as to make worth introducing a system of inter-authority accounting and appropriate provision has therefore been made accordingly. Another matter which concerns local authorities is contained in s. 25 as to the payment for medical certificates to which we referred at p. 130 *ante*.

ROAD ACCIDENTS—NOVEMBER, 1949

The return of the number of persons reported to have died or to have been injured, as a result of road accidents in Great Britain during the month of November, 1949, is as follows:—

Classification of persons	Total		
	Died	Injured	
		Seriously	Slightly
Pedestrians:—			
(i) under fifteen	61	410	1325
(ii) fifteen and over	200	898	1947
Pedal cyclists:—			
(i) under fifteen	4	100	335
(ii) fifteen and over	52	682	1922
Motor cyclists	57	580	1039
Drivers	26	319	1180
Passengers (sidecar or pillion):—			
(i) under fifteen	—	2	10
(ii) fifteen and over	5	84	227
Passengers (other vehicles):—			
(i) under fifteen	5	61	309
(ii) fifteen and over	33	552	2319
All persons 1949	473	3688	10622
1948	412	2603	10226

CORRESPONDENCE

[The Editor of the *Justice of the Peace and Local Government Review* invites correspondence on any subject dealt with in its columns, for example, magisterial matters, probation, local government, etc.]

The Editor,
Justice of the Peace and
Local Government Review

DEAR SIR,

CONSENT TO MARRIAGE OF AN INFANT

Whatever may have been the correct interpretation of the law contained in s. 9 of the Guardianship of Infants Act, 1925, perhaps I may be permitted usefully to refer to the Marriage Act, 1949, s. 3, which appears to have the effect of settling a point upon which I had the temerity to differ from the view expressed by the late Mr. F. B. Dingle—*see* 101 J.P.N. 662, 704, 784, 805, and 815.

It is now unnecessary to obtain the consent of the court to the marriage of an infant where the marriage is intended to be solemnized after the publication of banns. The parent or guardian in such a case may give notice of dissent, and then if the infant refuses to submit to delay in the marriage plan he may ask the court to consent to his marriage by licence.

This clarification is, I submit, based upon common sense, and I could never understand why, after such publicity attaching to banns, many parsons still advised the infant to obtain the court's consent, although there had been no dissent following the publication of the banns. It seemed to me that such advice made the time honoured custom of calling banns, a farce, and by implication showed a groundless fear on the part of the parson because after due calling of banns, and if there was no dissent, he could not be held liable to any penalties, if he, within proper time and in due form, solemnized the marriage of the parties.

In this class of case, there is greater safety in numbers and I would prefer in magistrates' courts a bench of five, two of whom should be women. If one or both parents have refused consent, the decision of a bench of five would inspire greater confidence than of two or three.

In this respect, while speaking of bench numbers, I hope the new rules will not limit the number to five, in ordinary cases, because in criminal cases at least, I apprehend the bench has, up to a certain point in the trial, the functions of a jury, and a bench of seven in certain cases can exercise those functions more adequately than two, three, four or six. Then again, where many of the justices have short experience on the bench, one or two of them can with greater confidence and safety adjudicate along with three or five more experienced colleagues, and in this way they gather their experience.

Yours faithfully,
CHAS. PROCTOR,
Clerk to the Justices

Borough Justices' Clerk's Office,
40, Gluman Gate,
Chesterfield.

P.S.—I had written the above letter before reading your leaderette on the subject of Infants' Marriages on p. 121 of your issue of March 11. Section 3 of the Marriage Act, 1949, is to be welcomed because, if, as your contributor stated at 101 J.P.N. 704, archdeacons were still instructing their clergy in the manner stated, they need no longer do so, and it may be stated while they were doing it, they were ignoring the Marriage Act of 1823.—C.P.

The Editor,
Justice of the Peace and
Local Government Review

DEAR SIR,

CONSENTS AND DISSENTS TO MARRIAGES

May I draw attention to a small error in your note on Consents and Dissents to Marriages on p. 121 of your issue for March 11? In lines 21 to 24 of that note you seem to say that provision was made in 1836 for the issue by superintendent registrars not merely of certificates in lieu of banns but also of licences which could be used for marriage in a place of worship, including a church or chapel of the established church. But the proviso to s. 36 (2) of the Consolidating Marriage Act of 1949 expressly prohibits a superintendent registrar from issuing a licence for a Church of England marriage; he may only issue a certificate in lieu of banns, and if the parties want a licence they must go to the Bishop. This provision merely reproduces what was in the older legislation: *see* Marriage Act, 1836, ss. 1 and 2.

Yours faithfully,
J. M. ROSS.

General Register Office,
Somerset House,
London, W.C.2.

THE WEEK IN PARLIAMENT

By Our Parliamentary Correspondent

The Home Secretary again dealt with a number of questions concerning crimes of violence and corporal punishment in the House of Commons this week.

He said that since January, 1949, he had received 262 letters from individuals and nineteen from organizations and associations requesting him to re-introduce flogging.

The offences for which corporal punishment was most frequently awarded by the courts up to September 13, 1948 (when corporal punishment was abolished) were offences under s. 23 (1) of the Larceny Act, 1916, *i.e.*, in the main, armed robbery and robbery with violence. During the three years ended December 31, 1948, 838 males were sentenced to penal servitude, imprisonment or borstal detention on conviction of offences under all the subsections of s. 23 of the Act, and 103 of those convicted under subs. (1) were ordered to be whipped.

He had already put in hand arrangements to obtain more recent information than that given in the Report of the Departmental Committee on Corporal Punishment as to the subsequent careers of those convicted under s. 23 (1) of the Act of 1916 but it would take some time before that inquiry could be completed.

Mr. Ede said there had been fourteen cases in 1948 and nine in 1949 of offences by prisoners in prisons in England and Wales, in respect whereof punishment of flogging was awarded and administered. Parliament, when passing the Criminal Justice Bill, accepted the views of the Departmental Committee on Corporal Punishment that there were good reasons for retaining corporal punishment as an ultimate sanction for serious offences in prisons, notwithstanding their recommendation that the use of corporal punishment as a court penalty should be abandoned. No circumstances had arisen to justify the Government in re-opening the decision then taken.

FIREARMS

Sir Ian Fraser (Morecambe and Lonsdale) asked the Secretary of State for the Home Department whether he would introduce legislation to prevent or limit the possession of firearms by ordinary citizens.

Mr. Ede replied that, under the Firearms Act, 1937, it was an offence punishable by severe penalties, to be in possession of a firearm, except in accordance with the terms of a firearm certificate issued by the appropriate chief officer of police. Before issuing such a certificate the chief officer of police was required to satisfy himself that the applicant had a good reason for being in possession of a firearm and could be permitted to have the firearm in his possession without danger to the public safety or to the peace.

INDECENCY CASES

Mr. Paget (Northampton) asked the Secretary of State for the Home Department whether he would consider introducing legislation to exclude the names of child witnesses from publication in indecency cases.

Mr. Ede replied that under s. 39 of the Children and Young Persons Act, 1933, the court already had power to direct, in relation to any proceedings arising out of an offence against decency or morality, that no newspaper report shall reveal the name, address or school, or include any particulars calculated to lead to the identification of any child or young person who was a witness in such proceedings. He added that he was not aware of any reasons for suggesting a modification of that provision.

PARLIAMENTARY INTELLIGENCE

Progress of Bills

HOUSE OF LORDS

Tuesday, March 28

SOLICITORS BILL, read 3a.

Thursday, March 30

NEWFOUNDLAND (CONSEQUENTIAL PROVISIONS) BILL, read 2a.

HOUSE OF COMMONS

Thursday, March 30

BRITISH TRANSPORT COMMISSION BILL, read 2a.

Friday, March 31

MERCHANT SHIPPING BILL, read 1a.

DIPLOMATIC PRIVILEGES (EXTENSION) BILL, read 3a.

POST OFFICE AND TELEGRAPH (MONEY) BILL, read 3a.

PERSONALIA

APPOINTMENTS

Mr. Donald Stewart Mitchell, M.A., deputy town clerk to the borough of Malden and Coombe, Surrey, has been appointed clerk and solicitor to the Lexden and Winstree rural district council. He takes the place of Mr. George E. Tompson who is retiring after over forty years service.

Mr. B. R. Ostler, M.A., deputy town clerk of Harrogate, has been appointed clerk and solicitor of the Friern Barnet urban district council in succession to Mr. G. T. Fletcher.

Miss M. Chaplain has been appointed probation officer to the Surrey combined probation area in the place of Mrs. A. M. Austen who has resigned. Miss Chaplain has, since last year, been a probation officer at Lancaster.

Mr. R. K. Robinson, a probation officer in the Lancashire No. 3 Combined Probation Area (Blackpool and Kirkham Petty Sessional Division) Committee, has been appointed probation officer at West Ham. Mr. Robinson is twenty-eight years of age, and has held his present position for nearly eleven months.

OBITUARY

Mr. Justice Lewis, a judge of the King's Bench Division since 1935, died on March 15 in London. Born in 1881, he was educated at Eton and University College, Oxford. In 1908 he was called to the Bar by the Inner Temple and joined the Cardiff and Swansea sessions and the South Wales circuit. After serving in the army during the 1914-1918 war, he returned to the Bar and in time acquired the Chancellorships of the Dioceses of Llandaff, Monmouth, Manchester, Blackburn and Worcester. In 1930 he was appointed to replace the late H.M. Given, Junior (Common Law) Counsel to the Treasury. In 1935 he became a judge.

Mr. A. D. Capel Loft died on February 28, at the age of eighty-four. Mr. Capel Loft was the founder of a Stourport-on-Severn firm of solicitors. From 1914 until his retirement in 1940 he was clerk to the Stourport-on-Severn urban district council. He was a former coroner for Mid-Worcestershire, clerk to the Hundred House magistrates, and clerk to Kidderminster education committee.

Mr. William Stanley MacBean Knight died on March 21 at Saltdean, Sussex, at the age of eighty. He was admitted a solicitor in 1893 and was called to the Bar in 1899. He took a keen interest in local government and served as a member of the London County Council. He was vice-chairman of the Local Government Committee from 1907 to 1910 and from 1906 to 1917 he was an alderman and chairman of the Parliamentary Committee of the St. Pancras borough council.

NEW COMMISSIONS

ABERYSTWYTH BOROUGH

Mrs. Elizabeth Davies, 1, Antaron Avenue, Aberystwyth.
Mrs. Gwendoline Calan Evans, 24, North Parade Aberystwyth.
Ernest William Roberts, Holmeside, Banadl Road, Aberystwyth.

BRIGHTON BOROUGH

Mrs. Elizabeth Frances Dacre, The Downings, Bazehill Road, Rottingdean.
Mrs. Althea Myerscough, B.A., 3, West Drive, Brighton 7.
Mrs. Doris Gladys Voller, 49, Southdown Avenue, Brighton, 6.
George Wheeler, 18, Braybon Avenue, Brighton, 6.
Francis Thomas Keith Wilson, M.B.E., T.D., 433, Ditchling Road, Brighton, 6.

CHESTERFIELD BOROUGH

William Brown, O.B.E., Braecrest, 21, Ryehill Avenue, Brookside, Chesterfield.
Ernest Walter Jephson, 693, Brookside, Chesterfield.
Joseph Charles Kitts, 8, Brookfield Avenue, Chesterfield.
Mrs. Nellie Lowe, 94, Saltergate, Chesterfield.
Mrs. Sarah Martin, 177, Hunloke Avenue, Chesterfield.
Raymond Middleton, 12, Cross, London Street, New Whittington, Chesterfield.
Harold Charles Mullett, 559, Newbold Road, Chesterfield.
Mrs. Alice Mary Rees, 40, Avenue Road, Whittington Moor, Chesterfield.
Herbert Lawrence Watson, 596A, Chatsworth Road, Chesterfield.
Mrs. Catherine Wingate Wilson, 204, Ashgate Road, Chesterfield.

CHICHESTER CITY

Thomas Jesse Eastland, 65, Oving Road, Chichester.

LAW AND PENALTIES IN MAGISTERIAL AND OTHER COURTS

No. 26.

ASSAULTING MINE HOST

A forty-year-old homeless clerk, and a sixty-two-year-old general dealer, appeared on March 1, 1950, before the Leicester city magistrates charged with common assault.

For the prosecution, it was stated that the clerk, who had previously been forbidden by the licensee of a Leicester public house to enter the house on account of bad conduct, saw the licensee outside the house and asked if he could go inside for a drink. The licensee refused the request, but five minutes later the clerk entered the bar, where the second defendant was already drinking, and was requested to leave by the licensee. The clerk used obscene language, and the licensee obtained assistance and had the defendant removed from the premises, but ten minutes later he returned and was again requested to leave. The clerk used further bad language and then seized the licensee, and struck him a blow on the left shoulder—at the same time he tightened the landlord's tie to such an extent that the latter's wife had to cut the tie from the throat with a pair of scissors. After the clerk was once more ejected, the general dealer, who apparently was a friend of the clerk, took umbrage and used abusive language to the licensee's wife, whereupon the licensee requested him to leave also. The request had to be repeated, and the second defendant moved towards the door but before leaving he struck the landlord a violent blow in the mouth, cutting his lips and breaking his dentures.

Both defendants pleaded guilty, and the clerk was fined £3 for the assault and £2 for using bad language, and the general dealer was fined £5.

COMMENT.

No point of legal interest arises in this case but the writer has thought fit to describe the incidents in some detail as there has been for some months past a tendency for disgruntled customers in public houses to maltreat licensees.

The chairman of the Leicester bench is reported to have said that it was important that licensees should be protected against people who use violence.

It is to be hoped that this view will obtain more widespread recognition than it has in the past, for there have been all too many cases of vicious assaults upon licensees and their wives which have not received the condign punishment they deserve. There are few of our fellow citizens who have a more difficult task than the licensees of our public houses, and they are entitled to expect protection in carrying on their trade, and all possible steps should be taken to stamp out the hooliganism which, too frequently, is displayed.

(The writer is indebted to Mr. W. E. Blake Cain, clerk to the Leicester city justices, for information in regard to this case.)

R.L.H.

No. 27.

FOOD AND DRUGS ACT, 1938—AN UNATTRACTIVE LOAF

On February 7, 1950, a co-operative society appeared before the Gloucester city magistrates charged, first, with selling to the prejudice of the purchaser food which was not of the nature, substance or quality demanded contrary to s. 3 of the Food and Drugs Act, 1938, and, secondly, with selling food unfit for human consumption, contrary to s. 9 of the same Act.

For the prosecution, evidence was given that on a date in January, a roundsman employed by the society delivered a loaf of bread which, upon being cut by the householder purchaser, revealed the presence of a finger bandage.

A pathologist extracted from the loaf a four and a half inch bandage, on which, after conducting tests before the court, he revealed the presence of blood and yellow matter.

It was contended by the defending solicitor that there was no case to answer by reason of s. 33 of the Interpretation Act, 1889, which, it will be remembered, provides as follows:—"Where an act or omission constitutes an offence under two or more Acts, or both under an Act and at common law, whether any such Act was passed before or after the commencement of this Act, the offender shall, unless the contrary intention appears, be liable to be prosecuted and punished under either or any of those Acts or at common law, but shall not be liable to be punished twice for the same offence."

For the prosecution it was argued that s. 33 applies *(inter alia)* to cases where prosecutions in respect of a particular offence are open under two different statutes and in such circumstances the prosecutor must elect to proceed under one of them only. The prosecution also contended that owing to the words "under *two* or more Acts" it would be impossible to bring s. 33 of the Interpretation Act into operation where a prosecution is brought under two different sections of the same Act, unless the Act provides to the contrary. Offences under ss. 3 and 9 of the Food and Drugs Act, 1938, it was argued, are distinct and apart, and it was stressed that different penalties are laid down thereunder or in the Act for their respective contraventions.

The magistrates overruled the submission, and defending solicitor then contended further that both informations should be struck out on the ground that, as the return day of the summonses was but five days following the issue of the informations, the defence had not had time to avail itself of the provisions of s. 84 of the Act under which a warranty may be pleaded as a defence. When the chairman asked the defending solicitor whether or not he had a defence of warranty to offer, the latter refused to commit himself, pleading that there were still two days allowed by statute within which he could *(inter alia)* send to the prosecutor a copy of any warranty which his clients might have, and he submitted that the proceedings, having been initiated before the expiration of those two days, were void.

The prosecution contended that if the defendants had in fact had a defence of warranty available to them, but had not had time to file the same, the proper course was for the defendants to apply for an adjournment so that such defence could be filed.

The court did not accept the defendants' submission, but adjourned the hearing for fourteen days and at the adjourned hearing on February 21, no copy warranty having been sent to the prosecutor, the magistrates found the charges proved and imposed a fine of £10 on the first charge and £25 on the second charge, and ordered the payment of £6 5s. costs.

COMMENT.

The argument of the counsel's representative that there had been no contravention of s. 33 of the Interpretation Act, 1889, in this case rests, of course, upon the fact that the section prohibits the preferment of charges under two or more statutes or under a statute and at common law where the effect of such charges would be to duplicate the offences charged and it must be conceded that, technically, that argument appears to be correct.' It is, however, a little difficult to free one's mind of the impression that in this case the defendant was virtually punished twice for the same offence, which is precisely what the last line of s. 33 of the Interpretation Act, 1889, prohibits.

There are not, infrequently, border-line cases of this nature and when, as in this case, upon the proved facts, the defendant could clearly be properly convicted either under s. 3 or under s. 9, it is suggested for consideration that the prosecution should, before initiating proceedings, make up their minds as to which section they propose to rely upon.

It is perhaps of interest to observe that note (1) to s. 9 in *Bell's Sale of Food and Drugs*, 12th edition, states: "There are occasions when the sale of food is an offence under this section and also under s. 1 or s. 3 . . . Usually, however, s. 9 applies to food which has decomposed and become putrid in circumstances unlikely to bring the matter in the scope of earlier sections."

With reference to the second submission of the defending solicitor, there can be no doubt that the court adopted a wise course in adjourning the proceedings for fourteen days. In this way the defendant was not prejudiced, and the delay gave ample opportunity to test whether or not there was a warranty upon which the defendant could rely.

It will be remembered that the effect of s. 84 is to render it obligatory upon a party seeking to rely upon a warranty to send a copy of the warranty relied upon to the prosecutor within seven days with a notice stating that he intends to rely upon it, etc.

(The writer is greatly indebted to Mr. Andrew Boggon, LL.B., deputy town clerk, Gloucester, for information in regard to this case.)

R.L.H.

PENALTIES

Bristol—February, 1950—selling whisky 38.9 degrees under proof—absolute discharge. To pay £5 costs. Defendant a licensee of thirty years' standing with an unblemished record.

Bristol—February, 1950—selling whisky 40.2 degrees under proof—absolute discharge. To pay £5 costs. Defendant's son let a bottle slip when cleaning it, and to make good the whisky he had spilt he filled the bottle with water in order that his father should not find out what he had done.

Salop Assizes—February, 1950—wounding with intent to do grievous bodily harm—six years' imprisonment. Defendant was seen by a N.S.P.C.C. inspector who was visiting defendant's children. Defendant, who had previously twice threatened the inspector with a billhook, struck the inspector, causing permanent facial injury.

PRACTICAL POINTS

All questions for consideration should be addressed to "The Publishers of the Justice of the Peace and Local Government Review, Little London, Chichester, Sussex." The questions of yearly and half-yearly subscribers only are answerable in the Journal. The name and address of the subscriber must accompany each communication. All communications must be typewritten or written on one side of the paper only, and should be in duplicate.

1.—Criminal Law—*Larceny—Electricity—Removal of bulb from council's fitting and insertion of adaptor—No evidence of actual abstraction—Whether offence committed.*

The council of the borough of X has a large house which is sub-divided into separate dwelling units each of which is let to a tenant. The communal passages are lighted by electricity which is separately metered and paid for by the council. The lamp holders of the communal lights are fitted with a locking device to prevent removal of the lamp. One of the tenants succeeds in unscrewing the locking device of the lamp holder, removes the bulb and inserts therein a double adaptor and takes a lead to his own room and it is suggested that an electric fire is connected to this lead although there is no evidence to this effect. The council, not being the statutory undertakers, cannot prosecute for fraudulent abstraction of electricity nor can they prosecute for larceny of electricity as there is no evidence of an actual taking. It occurs to me, however, that proceedings might be instituted under s. 8 (1) (*b*) of the Larceny Act, 1916. Opinion is sought as to whether the intent to steal, referred to in the section, relates to the article which is ripped, cut or severed or whether it can be made applicable to the electricity which it is alleged was subsequently stolen. S. ACH.

Answer.

We think s. 8 (1) (6) of the Larceny Act, 1916, refers to the severance, etc., of fixtures with intent to steal those fixtures, not with intent to steal something else. We have been unable to trace any decision on this point.

If the double adapter is of the usual type, it seems to us there must have been a fraudulent diversion of electricity along the lead from the adapter to the other end where it could be connected with a lamp or heater. The amount of electricity consumed cannot, apparently, be proved, so only a nominal value could be alleged, but we think there may be grounds for preferring a charge under s. 10 of the Larceny Act, 1916.

2.—Contract—*Library—Loss of ticket—Measure of damages.*

A is the holder of a ticket on which she is entitled to borrow books from the public library. Books are subsequently taken out in her name and on her ticket which is expressed not to be transferable. The application form for tickets signed by A contains a condition that the tickets shall not be transferred. The books are not returned and, on application being made for them, A states that she has never had them.

Can action for the recovery of the books be maintained against A:—

(1) On the ground that she has broken her contract if she has voluntarily parted with the ticket to some other person thereby enabling him to use it for the purpose of obtaining books.

(2) On the ground that she has broken her contract by negligently losing the ticket, if she has in fact been negligent.

(3) On the ground of breach of contract if the ticket has been stolen from her.

(4) On the ground that the ticket is a "document of title" or on any other ground in any of the circumstances set out in (1), (2) and (3)? A. GREEN.

Answer.

It may at first sight seem an unusual approach, to suggest that a contractual relationship exists between a public library authority and a person who borrows a book, or obtains a library ticket. It could be argued, at any rate where that person was exercising the statutory right, that the relationship was *sui generis*, springing from the statutes. But if a person borrows a book from another person, or from a library owned by trustees or some similar non-statutory body, there is clearly a contract, even though the lending be gratuitous: *Coggs* v. *Bernard* (1703) 2 Ld. Raymond 909, and we see no reason why the same should not be true when the library is a public library, from which all persons in some wide class have a legal right to borrow. If so, we think the reasoning can be extended to the borrower's ticket. We do not regard this as a document of title, but as an article lent by the library authority to a member of the public, for the purpose of his using it to indicate to the authority's servants that he falls within the class of persons with whom the authority is willing, or is bound by statute, to make a series of further contracts. We do not see how on any view an action can succeed for recovery of the books, as the query expresses it. We suppose that "value of the books" is meant, and upon the view advanced above, artificial though it looks, we say:—

(1) Yes: *Bringloe* v. *Morrice* (1676) 1 Mod. Rep. 210; *Camoys* v. *Scurr* (1840) 9 C. & P. 383. The value of the books, not the mere value of the ticket, will give the measure of damages.

(2) Yes: *Vaughan* v. *Menlove* (1837) 3 Bing. N.C. at p. 475; *Wilson* v. *Brett* (1843) 11 M. & W. 113.

(3) No: *Blakemore* v. *Bristol and Exeter Railway Co.* (1858) 8 E. & B., at p. 1051.

3.—Hackney Carriages—*Manning of stands.*

In this locality the corporation is trying to compel all licensed hackney carriage proprietors to attend upon the stand in accordance with a fixed time table made on a rota system. After consideration of the illuminating article at 108 J.P.N. 206 I came to the conclusion that (*a*) a licence once granted cannot be taken away except for two convictions, and (*b*) that the corporation has no power to force hackney carriages to spend a stipulated time on the stands by making a condition on the licence, or otherwise. The corporation, however, relies upon an opinion obtained from the Association of Municipal Corporations (copy enclosed) which appears to be to the contrary. I shall be very grateful if this difficult subject can be thoroughly elucidated. APEX.

Answer.

(1) We agree about taking away the licence, if you insert in the sentence the words "during its currency." A licence holds good for one year or less, and there is no right to have it renewed. (2) Turning to conditions: at p. 208 of the article cited (108 J.P.N. 206) we expressed the opinion, without quoting authority because so far as we know the matter has never been directly tested in the High Court, that a local authority cannot attach to the licence of a hackney carriage a condition requiring the owner to keep it on the streets. The case now forwarded shows counsel expressing the opposite opinion, on the authority of *R.* v. *Bradford Corporation, ex parte Minister of Transport* (1926) 90 J.P. 140. The Bradford case related to an omnibus licence, but in view of the application to omnibuses by the Town Police Clauses Act, 1889, of the provisions about hackney carriages in the Act of 1847 we do not stress this point. Nor do we stress the point that inasmuch as the licence ordered to be granted was unconditional what the Divisional Court said about conditional licences was *obiter*. The Court did certainly say, in terms, despite absence from the Acts of the power to impose conditions which Parliament usually inserts where it intends to give such power, that a conditional licence would be *intra vires* if the condition were "within the ambit of the licensing authority." The difficulty lies in applying these quoted words. The Court tried to explain them by saying that the licensing authority must not take extraneous matters into consideration, but, again, what are extraneous matters? The Court gave as an illustration of something not extraneous a condition that an omnibus should not run through a particular street. Let this be granted, without forgetting that it was *obiter*: it is, even so, something affecting the use of the omnibus while in the streets, and it must be remembered also that an omnibus licence under the Act of 1889 was needed for plying in the district, *i.e.*, not in streets alone. The hackney carriage requires a licence to ply in the streets, and it seems to us that a distinction exists between conditions affecting it when it is there and conditions affecting it (or purporting to do so) when in its garage. The latter are really directed not to the vehicle but to its owner. We still consider, with all respect to counsel's reasoning from the analogy of the Bradford case, that the "ambit of the licensing authority" is to ensure that the vehicle is suitable for use in the streets, not that it shall be used there against its owner's wishes. At the moment, such a condition might be accepted because the licence has a purely adventitious value in procuring petrol, but when normal times return this motive will cease, and the only effect of the council's seeking to impose such a condition would be to deter vehicle owners from applying for hackney carriage licences. In other words, the attempted condition would defeat itself.

4.—Landlord and Tenant—*Tenant becoming lunatic—Notice to quit—Relative in occupation.*

Mrs. A, the tenant of a council house in respect of which the council is required to keep a housing revenue account, has recently been certified as a person of unsound mind pursuant to s. 16 of the

Lunacy Act, 1890. No receiver has been appointed. Her mother is in occupation of the house; the furniture is the property of Mrs. A.

(*a*) What steps must be taken to terminate her tenancy? Please give your authority.

(*b*) Would it be in order to accept any sums from the mother in respect of her own use and occupation of the premises?

ART.

Answer.

Unless and until a receiver is appointed, we do not see that notice to quit can be effectively served, so as to put an end to Mrs. A's tenancy, and so long as that tenancy continues the mother is entitled to live there. Since Mrs. A's furniture is there, the best practical course, if the mother is solvent, seems to be to accept rent from her as agent for her daughter. This will safeguard the right of distress, if she stops paying.

5.—**Landlord and Tenant**—*Small Tenements Recovery Act, 1838—Tenant goes out of occupation—Unauthorized occupants.*

My council are desirous of obtaining possession from two families who are in unauthorized occupation of a council house, the income from and the outgoings of which are entered in the housing revenue account. The tenant has vacated the house, and is living out of the district, although it appears that she may still have some furniture in the house. A notice to quit has been served upon her, which has now expired, but before she left the house she permitted a family to occupy part of the house without the authority of the corporation. Since her departure this family have permitted the second family in question to occupy part of the house. The position is further complicated by the fact that although no rent has been received since the expiration of the notice to quit which was served upon the tenant, the rent has for some time between the date when the tenant ceased to reside in the premises and the date of expiration of the notice to quit been collected by the corporation's rent collector from one or both of the families in unauthorized occupation, although so far as the corporation are concerned the rent was regarded as being paid on the tenant's behalf and the tenant's rent book was, in fact, marked. I am desirous of taking proceedings under the Small Tenements Recovery Act, 1838, as amended by s. 156 (2) of the Housing Act, 1936, and although I have noticed your opinions at 108 J.P.N. 239 and 112 J.P. 610, the 1838 Act is so full of pitfalls that almost every case requires a separate opinion. I should, therefore, be obliged for your opinion as to:—

1. Whether my council may proceed under the Small Tenements Recovery Act, 1838, to recover possession against these two unauthorized families.

2. Whether in view of the fact that the tenant still may have some furniture in the house a statutory notice in accordance with s. 2 of the 1838 Act should also be served on the tenant; and if so, and the permanent address of the tenant is unknown, how service of the notice should be effected.

3. Whether in view of the receipt of rent from the families as above mentioned it is necessary for notices to quit to be served upon the two families.

ANX.

Answer.

1. Yes: *see* also P.P. 5 at 113 J.P.N. 607-608. The statutory notice should be served upon the head of each family, looking to the reference to a part of the premises in s. 1 of the Act.

2. In our opinion, no. She is not in occupation personally and, whilst a tenant can occupy by his furniture for certain purposes, we know of no reason to treat a person, who leaves some of his furniture in a tenement abandoned by him, as necessarily holding over thereby. The case where an ex-tenant is holding over, but keeps out of the way and cannot be personally served with the statutory notice, is provided for in s. 2 of the Act of 1838.

3. No. Until the expiry of the notice to quit, the landlord was entitled to receive rent, and when during the subsistence of the tenancy rent was tendered to him on the premises he was entitled, indeed bound, to accept it for the credit of the tenant and to enter it in the tenant's rent book. The notices to be served on the occupiers are the form 1 notices scheduled to the Act of 1838.

6.—**Public Health Act, 1936**—*Building byelaws—Faulty construction of building—Mistake of inspector.*

In 1946 a private builder in the area of this authority constructed a house for sale. Regular inspections were made by a corporation building inspector who approved the foundations which went down to a depth of only one foot below ground level. The land on which the house was built was filled land and it is conceded that the inspector should have appreciated this fact when the ground was opened, and insisted, in accordance with building byelaws, that the foundations should be taken down so as to be "built directly on suitable ground" (*i.e.*, they should have gone down to solid ground or a suitable raft constructed). The house, as a result of the foundations thereof resting on filled ground, will now have to be almost rebuilt at considerable cost. The purchaser is claiming damages from the builder who repudiates liability on the ground that the site and footings and all stages of construction were regularly supervized by the corporation's building inspector who expressed satisfaction.

When the house was completed, the borough surveyor issued for and on behalf of the corporation a certificate that "so far as can be ascertained this building conforms to the corporation's building byelaws." A footnote thereto states: "This statement is issued on the understanding that the rights of the corporation under the building byelaws, Public Health Acts, or otherwise, in respect of the said building(s) are in no way prejudiced or affected and that neither the corporation nor the borough engineer and surveyor shall be held liable for anything contained therein or arising out of the same." (A copy of the form of certificate is enclosed for reference.)

You are asked to advise:—

(1) Whether an action for damages by the purchaser of this house would succeed against (*a*) the corporation, (*b*) the borough surveyor or (*c*) the building inspector concerned;

(2) Whether the builder has any right of action against any of these three;

(3) Whether, in his opinion, certificates of the type described ought to be issued to builders, and

(4) In case you consider there is a possibility of action, from what date does the protection contained in the Limitation Act, 1939, begin to run.

ACO.

Answer.

(1) No, to (*a*), (*b*) and (*c*).

(2) No.

(3) We think it unwise. If the council were to give a certificate that the building had been inspected and no breach of byelaws had been found, this might be a different matter, but to say that "so far as can be ascertained the building conforms" strikes us as going too far. In either form we cannot see that a certificate serves any public purpose.

(4) Does not arise.

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OFFICIAL ADVERTISEMENTS, TENDERS, ETC. (*contd.*)

THE Ministry of Home Affairs, Northern Ireland, invites applications for the pensionable post of Inspector (woman) under the Children and Young Persons Act (N.I.), 1950.

The salary scale is £750 × £25 to £900.

Candidates, who should be at least 28 years of age, should have a wide knowledge of social conditions in Northern Ireland and have had experience of homes for children and young people, of boarding out children with foster parents, of welfare work among children and young people and of family case work. Considerable weight will be given to the possession of a university degree or diploma or certificate in social science.

Preference will be given to candidates who have served in H.M. Forces during the 1939-45 war provided the Ministry is satisfied that such candidates can, or within a reasonable time will be able to, fill the post efficiently.

Application forms, obtainable from the Establishment Officer, Ministry of Home Affairs, Stormont, Belfast, should be completed and returned not later than April 18, 1950.

CITY OF SHEFFIELD

Appointment of Assistant Solicitors

APPLICATIONS are invited for the following appointments in my department:—(*i*) Assistant Solicitor (Conveyancing), A.P.T. VIII (salary £685—£760); (*ii*) Junior Assistant Solicitor (Prosecutions), A.P.T. V (*a*)-VII (£550—£710).

Candidates for appointment (*i*) should have a wide experience of conveyancing and previous experience with a local authority, though not essential, will be an advantage. The grading of appointment (*ii*) will be determined by reference to the experience of the successful candidate, in accordance with the decisions of the National Joint Council and the person appointed will be required to conduct proceedings in the Police and County Courts. Both officers will be required to assist in the legal and general work of the department.

The appointments will be subject to (*a*) one month's notice on either side, to be given in writing at any time; (*b*) the terms and conditions of service of the National Joint Council for Local Authorities' Administrative, Professional, Technical and Clerical Services, as applied by the City Council to their Official Staff; (*c*) the provisions of the Local Government Superannuation Act, 1937, and candidates must not be more than 40 years of age, or otherwise have previous local government service carrying a transfer value within the meaning of the Act.

The successful candidates will be required to pass a medical examination.

Applicants should supply the following particulars:—(*a*) Position applied for; (*b*) name and address; (*c*) age; (*d*) education, training and qualifications; (*e*) present position, salary and date of appointment; (*f*) previous positions, with salaries and dates; (*g*) details of experience; (*h*) when able to take up appointment.

Applications, suitably endorsed, and with the names of two persons to whom reference can be made, must be submitted to me not later than April 18, 1950.

Canvassing, directly or indirectly, is a disqualification.

JOHN HEYS,
Town Clerk.

Town Hall,
Sheffield, 1.

COUNTY OF SOMERSET

APPOINTMENT of:
(*a*) one male Probation Officer.
(*b*) one female Probation Officer.

The Probation Committee for the Somerset Combined Area invite applications for the appointment of:—
(*a*) one whole time male Probation Officer;
(*b*) one whole time female Probation Officer.

The appointment will be subject to the Probation Rules, and salary will be paid in accordance with these Rules, together with a travelling allowance. The salary will be subject to superannuation deduction, and the selected candidates will be required to pass a medical examination. Applicants must be not less than 23 and not more than 40 years of age, unless the applicant is at present serving as a whole time Probation Officer, or has satisfactorily completed a course of training approved by the Home Secretary.

Applications, stating age, qualifications and experience, should be addressed to reach the undersigned not later than April 22, 1950.

Testimonials are not at present required but candidates should give the names of three referees to whom inquiries can be addressed.

Canvassing, either directly or indirectly, will be a disqualification.

HAROLD KING,
Clerk of the Peace.

County Hall,
Taunton.
March 31, 1950.

METROPOLITAN BOROUGH OF WANDSWORTH

Second Assistant Solicitor

APPLICATIONS are invited for the established post of Second Assistant Solicitor in the town clerk's department. The salary paid will be in accordance with Grade A.P.T. 8 of the National Scheme of Conditions of Service, *viz.*, £715 to £790 inclusive.

Applicants must have had considerable experience in the town clerk's department of a local authority and possess a sound knowledge of municipal law and practice, including advocacy and the acquisition of land for all purposes.

The appointment will be subject to the provisions of the Wandsworth Borough Council (Superannuation) Act, 1909 to 1940, to the passing of a medical examination by a medical officer nominated by the Council and to the National Scheme of Conditions of Service. Canvassing will disqualify. Applicants must state, in the order given, full name and address, age, whether married or single, war service, date of admission, present appointment and salary, previous appointments, particulars of experience, date on which appointment could be taken up, and whether to their knowledge they are related to any Member or to any senior officer of the Council. Applications, giving the names of two persons to whom reference may be made, should reach the Town Clerk, Municipal Buildings, Wandsworth, S.W.18, not later than April 19, 1950, the envelope being endorsed "Second Assistant Solicitor."

R. H. JERMAN,
Town Clerk.

Municipal Buildings,
Wandsworth, S.W.18.

COUNTY BOROUGH OF EASTBOURNE

Appointment of Second Assistant to Clerk to the Justices

APPLICATIONS are invited for the appointment of a second assistant to the Clerk to the borough justices.

Applicants should have general magisterial experience. Shorthand and typewriting essential.

Salary in accordance with the Clerical Division of the National Scale (£395 × 15—440).

Applications, stating full details, age and experience, with two testimonials, to be sent to the undersigned.

HAROLD GLENISTER,
Clerk to the Justices.

Town Hall,
Eastbourne.

Amended Advertisement.

HAYES AND HARLINGTON URBAN DISTRICT COUNCIL

Appointment of Assistant Solicitor

APPLICATIONS are invited for the appointment of an Assistant Solicitor at a salary in accordance with the National Joint Council's Scale as under, plus appropriate London "Weighting":—
(*a*) After admission and on first appointment within A.P.T. Division, Grade Va (£550—£610 per annum).
(*b*) After two years' legal experience from date of admission within A.P.T. Division, Grade VII (£635—£710 per annum).

Experience of conveyancing and of prosecutions in the summary jurisdiction courts is desirable, and previous municipal experience would be an advantage.

The appointment is subject to (*a*) the Council's Scheme of Conditions of Service, which is based on the National Scheme with minor amendments, (*b*) the Local Government Superannuation Acts, 1937 and 1939, (*c*) the successful candidate satisfactorily passing a medical examination, and (*d*) one month's notice on either side.

The Council may be able to assist the successful candidate with the provision of housing accommodation, if required.

Forms of application and further particulars and conditions of appointment may be obtained from the undersigned, to whom completed applications should be returned not later than Monday, April 24, 1950.

A. E. HIGGINS,
Clerk of the Council.

Town Hall,
Hayes, Middlesex.

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COUNTY BOROUGH OF SOUTHAMPTON

Appointment of Legal Assistant to the Clerk to the Justices

APPLICATIONS are invited from solicitors for the whole-time appointment of Legal Assistant to the Clerk to the Justices.

Applicants must have had extensive experience of magisterial law and practice and be capable of acting as Clerk of the Court without supervision. The successful candidate will be required to assist in a major degree in duties connected with Licensing Planning, the Juvenile Court and Probation Committee.

The salary scale for this appointment accords with Grade X of the National Scheme of Conditions of Service, namely, £850 rising by increments of £50 to £1,000 per annum, the commencing salary to be fixed within this scale having regard to previous experience and ability. The appointment, which will be terminable by three months' notice on either side, will be subject to the Local Government Superannuation Act, 1937, and the successful candidate will be required to pass a medical examination.

Applications, stating age, present position, qualifications and experience, together with copies of three recent testimonials, should be delivered to the Clerk to the Justices, Law Courts, Southampton, not later than Saturday, April 22, 1950, in envelopes endorsed "Legal Assistant."

ARTHUR J. ROGERS,
Clerk to the Justices.

Magistrates' Clerk's Office,
Law Courts,
Southampton.

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If required, a house will be made available for the successful candidate.

For further particulars, apply to the undersigned. Closing date for applications—Saturday, April 15, 1950.

W. S. DES FORGES,
Town Clerk.

Town Hall,
Wakefield.
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